The City Council of the City of Raleigh met in regular session on Tuesday, October 18, 1983, at 1:00 p.m. in the City Council Chamber of the Municipal Building with the following present:

Mayor York, Presiding
Ms. Babb
Mr. Edwards
Mr. Jordan
Mr. Keller
Mr. Walters
Mr. Upchurch

Mr. Calloway - Absent and Excused.

Mayor York called the meeting to order and invocation was rendered by the Reverend Steven Gerhard of Holy Trinity Lutheran Church after which the following matters were discussed with action taken as shown. Mayor York indicated Mr. Calloway is out of town and without objection he would be excused from the meeting.

RECOGNITION OF SPECIAL AWARDS

CERTIFICATES OF APPOINTMENT - PRESENTATIONS MADE

Mayor York explained the presentation of Certificates of Appointment and presented the following certificates: Appearance Commission - Alyson Hyman and David Malette, Jr.; Arts Commission - Robert T. Wharton; Electrical Examining Board - Larry Nunnery; Falls Lake Technical Advisory Committee - Dr. Charles B. Davey, Marty Hedgepeth, Carol Namkoong, David E. Reynolds, Dr. Arthur Sullivan and Dr. Augustus M. Witherspoon; Human Resources and Human Relations Advisory Committee - George Sanders and Acie L. Ward; Mayor's Committee for Services to the Handicapped - Kenneth Franklin and Gary Ray; Parks and Recreation Advisory Board - Kiran Sigmon; Planning Commission - John E. Rice.

PARKS AND RECREATION DEPARTMENT - GOLD MEDAL AWARD FOR SPECIAL POPULATIONS PROGRAM - RECOGNIZED - AWARD ACCEPTED

Mayor York indicated the City of Raleigh received a first place national award for services to special populations. Mayor York called on Joe Miriello of Oxford Sporting Goods Store whose company is a member of the Sports Foundation and who was the City of Raleigh's local sponsor who permitted the City to enter the contest. Mayor York also recognized Kay Fish, Randy Ray, Bob Leyes and Lana Messner, who work with the physically and mentally handicapped as well as Carol Langley, Steve DeMastrie and Rebecca Lohr who work with the visually and hearing impaired. Parks and Recreation Director Evans presented the Mayor with the plaque that was received by the City of Raleigh's Special Populations Program at a recent convention in Kansas City. He also presented the Mayor with a check for $1,000 that goes along with the award. Mayor York indicated he had worked with the Special Populations Program and he knows that the people are very good at what they do and work very hard in this program. He commended the Parks and Recreation Department on their receiving this national award. See Ordinance 206.

RUN FOR THE OAKS - SPONSORS RECOGNIZED - FUNDS RECEIVED

Mayor York indicated the Holiday Inn North's General Manager, Charles Renfrow, supplied all of the prizes associated with the overall times and age groups connected with the Run for the Oaks. He indicated these prizes represented to everyone probably the best set of awards for any North Carolina road race yet. He pointed out the logistical support and overall cooperation by everyone was just fantastic. Mayor York recognized the following who had a part in putting together the Run for the Oaks. Carol Swacki of the Parks and Recreation Advisory Board, Candy Dynell with Pepsi Cola - who provided the City with a second major sponsor, tee shirts, runner numbers and start banners. He indicated the Mohammad Company donated the computer which represented the door prize for people who registered early. In addition, they gave out several other prizes without solicitation. He also recognized Bill Brown of the North Carolina Roadrunners Association whose members turned out in large numbers helping out in many ways including everything from registration tables to manning the course on race day. Mayor York also commended Jim Young, a member of the North Carolina Roadrunners, who served as the meet director. A check in the amount of $2,024.41 was presented to the City with it being pointed out this represents the net proceeds resulting from the first Run for the Oaks. Mayor York expressed appreciation for all of the work that went on relating to this race.

ORDINANCE NO. (1983) 206

AN ORDINANCE TO AMEND THE 1983/1984 BUDGET ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the 1983/1984 Budget be amended as follows to reflect contributions made by Crabtree Valley Sertoma Club for further development in Shelley Sertoma Park:

Revenue:	37-1-0070-0200	Misc. Income	$ 1,000.00
Expense:	37-2-3000-0188	Shelley Sertoma Dev.	$ 1,000.00

Section 2. That the 1983/1984 Budget be amended as follows to reflect receipt of award for Special Populations Program:

Revenue:	01-1-0070-0200	Gen. Fund	$ 500.00
	19-1-8190-0001	Revolving	500.00
Expense:	01-2-6010-0260	Office & Other Supp.	$ 500.00
	19-2-8190-0260	Spec. Populations	500.00

Section 2. That the 1983/1984 Budget be amended as follows to reflect receipt of profit from N.C. Road Runners Club for Run for the Oaks:

Revenue:	37-1-0070-0200	Misc. Income	$ 2,024.41
Expense:	37-2-3000-0160	Tree Planting	$ 2,024.41

Adopted: 10/18/83

CERTIFICATE OF APPRECIATION - YONG GIL CHO

Mayor York called on Yong Gil Cho and his nephew and presented Mr. Cho with a Certificate of Appreciation printed in Korean with the words "For Your Many Kind And Thoughtful Deeds We Are Greatful". Mr. York indicated Mr. Cho came to Raleigh from Korea and has been a noted personality for several years among the users and friends of Shelley Lake/Sertoma Park because of his persistent and diligent efforts to collect and dispose of trash left in the park by less tidy people. He pointed out early on most mornings Mr. Cho may be found walking the greenway with a trash bag in his hand. Other early walkers are greeted with a gracious bow and a friendly smile. Mayor York indicated the Parks Department and the City of Raleigh wanted to make sure that Mr. Cho knows how many people appreciate his efforts and are happy that he and his family are a part of our community.

MOORE SQUARE - DESIGNATED AS HISTORIC SITE

Catherine Bisher, Head of Survey and Planning Branch of the State of North Carolina Archives and History, was at the meeting and presented the Mayor with a certificate designating Moore Square a Historic site.

CONSENT AGENDA

CONSENT AGENDA - APPROVED AS PRESENTED

Mayor York indicated all items on the Consent Agenda are considered to be routine and may be enacted by one motion. If a Councillor requests discussion on an item, the item will be removed from the Consent Agenda and considered separately. The vote on the Consent Agenda will be a roll call vote. No one asked to pull any item from the Consent Agenda. Mayor York indicated there is an item on the Consent Agenda relative to reclassification in the City Clerk's Office. He indicated Council Members received a memo, just prior to the meeting, from the City Clerk relative to the reclassification but it was not against this request. He stated he just wanted that noted for the record that the memo had been received. Mr. Walters moved that Administration's recommendations on the items on the Consent Agenda be upheld. His motion was seconded by Mr. Jordan and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. The items on the Consent Agenda were as follows:

ETJ EXTENSION - CLIFTON L. WOODLIEF PROPERTY - RESOLUTION ADOPTED

The City has received a request to extend the ETJ on the south side of Perry Creek Road to include the Clifton L. Woodlief property. It is expected that when developed the owner will tap onto either the water line in Perry Creek Road or a water line extension through the Berkshire Downs West Subdivision (proposed). ETJ extension means the City would have building code, zoning, and subdivision controls on the property. (Additional material was included in the Council Members' Agenda packets.)

Recommendation: It is recommended that the City Council adopt a resolution requesting the County to relinquish jurisdiction over the Woodlief property. Consent Agenda approval: Walters/Jordan - 7 ayes.

RESOLUTION NO. (1983) 366 REVISED

A RESOLUTION TO AMEND THE EXTRATERRITORIAL JURISDICTION AGREEMENT BETWEEN THE CITY OF RALEIGH AND WAKE COUNTY

WHEREAS, NCGS 160A-360(g) provides that extraterritorial jurisdiction agreements between local governments may be modified from time to time by mutual consent of the legislative bodies concerned;

WHEREAS, the City of Raleigh and the County of Wake have agreed that their respective jurisdictions for planning and regulation of development purposes should be altered;

WHEREAS, the boundaries of the area in which the City of Raleigh exercises extraterritorial jurisdiction with respect to matters dealt with in Article 19 of Chapter 160A, North Carolina General Statutes, as the same now and may hereafter read and be constituted and numbered, are hereby established and defined as being the City's corporate boundaries as now established and hereafter modified and also being a line, approval of which was originally requested by the Raleigh City Council on June 19, 1972, and initially granted by the Wake County Board of Commissioners on February 5, 1973, and being shown on a map entitled "Extraterritorial Jurisdiction, City of Raleigh, North Carolina" and dated March 12, 1981, as amended.

WHEREAS, the Raleigh City Council finds that the expansion of the jurisdictional area as herein described will allow the City the opportunity to regulate development to assure eventual efficient delivery of City services to this area;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

Section 1. That the extraterritorial jurisdiction agreement, dated February 5, 1973, as amended, between the City Council of the City of Raleigh and the Wake County Board of Commissioners be modified to add a 24.6 acre tract south of Perry Creek Road (SR 2006) as shown on the attached map which is hereby incorporated into this resolution and meets and bounds drawn as follows:

ETJ EXTENSION
WOODLIEF PROPERTY

Beginning at a point in the existing (9-1-83) Raleigh ETJ (Extraterritorial Jurisdiction) line, said point being in the southern line of the property now or formerly of the A. J. Honeycutt Estate, said point also being the northernmost corner of property belonging to Clifton L. Woodlief and wife, Edna M.; thence with the boundaries of said Woodlief Property the following courses and distances: South 30° 20' 46" West 623.23 feet ±, South 59° 27' East 580 feet ±, North 30° 33' East 381.31 feet ±, North 59° 17' 53" East 84.59 feet ±, North 59° 15' 30" East 180 feet ± to a point in the centerline of Perry Creek Road (S.R. 2006); thence southeasterly with the centerline of Perry Creek Road 1220 feet ± to its intersection with the extension of the southeastern boundary of said Woodlief Property along Perry Creek; thence southwesterly with this southern boundary extended 190 feet ± along Perry Creek to the southeasternmost corner of the Woodlief Property; thence with the remainder of the southern boundary of said Woodlief Property the following course and distances: South 80° 01' 54" West 485.87 feet ±, North 78° 11' 48" West 497.00 feet ±, North 62° 45' 48" West 1548.58 feet ± to the western corner of said Woodlief Property, said point also being in said existing ETJ line; thence northeasterly with said existing ETJ line 1430 feet ± to the point of Beginning. (See attached map)

Section 2. That this resolution shall become effective immediately following its adoption by both governing bodies.

Adopted by City: 10/18/83

Adopted by County:

SANITARY SEWER SERVICE - FINANCIAL ASSISTANCE - AGREEMENT AUTHORIZED - BUDGET TRANSFERS APPROVED

On January 18, 1983, the City Council approved a policy for City support of sanitary sewer improvements involving City infill development. In addition, the Council approved an agreement to be executed for a site on Glenwood Avenue at Washington Street.

This project is now under construction and nearing completion. It is now appropriate to execute the agreement under the terms of the Council policy.

Recommendation: It is recommended that the City Council authorize the execution of an agreement with Alton Smith and Thomas A. Williams. (A copy of the agreement was included in the Council Members' Agenda packets.) In addition, it is also recommended that the following budgetary amendment be approved:

From:	01-2-1040-0001-0000	Contingency General Fund	$5,665.33
To:	01-2-1040-0303-0000	Infill Sewer	5,665.33
From:	06-2-7100-0001-0000	Council Reserve Utility Fund	$1,888.45
To:	06-2-7100-0514-0000	Infill Sewer	1,888.45

Consent Agenda approval: Walters/Jordan - 7 ayes. See Ordinance 207 TF 7.

PERSONNEL - RECLASSIFICATION IN THE CITY CLERK'S OFFICE - APPROVED - FUNDS APPROPRIATED

It is recommended that the Office Assistant III - Pay Grade 23 - be reclassified to Office Assistant IV - Pay Grade 25. There is also a request for a transfer of $981 to cover the additional cost for the remainder of this year.

Recommendation: Approval is recommended. Consent Agenda approval: Walters/Jordan - 7 ayes. See Ordinance 207 TF 7.

RSVP PROGRAM - REQUEST TO FILE GRANT APPLICATION - APPROVED

On Friday, October 7, 1983, the Grants Review Committee met to discuss the Human Resources Department's grant application for Fiscal Year 1983-84, RSVP Program.

The City's portion of this grant application ($41,166) has already been allocated in the Human Resources Department budget.

Recommendation: It is recommended by the Grants Review Committee that City Council approve the filing of this grant application and that the Mayor be authorized to sign the application. Consent Agenda approval: Walters/Jordan - 7 ayes.

ATLANTIC AVENUE PROJECT - AGREEMENT WITH SOUTHERN RAILWAY - MAYOR AUTHORIZED TO SIGN

In conjunction with the Atlantic Avenue project in the vicinity of Carolina Storage and Peden Steel, it will be necessary to relocate the existing 30-inch water main. This relocation will require going under tracks of the Southern Railway.

Recommendation: It is recommended that the Council authorize the Mayor's signature on this agreement. Consent Agenda approval: Walters/Jordan 7 ayes.

RESOLUTION NO. (1983) 376

A RESOLUTION DIRECTING THE MAYOR OF THE CITY OF RALEIGH TO SIGN RAILROAD AGREEMENT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the Mayor of the City of Raleigh be and is hereby authorized to execute the railroad agreement between the City of Raleigh and Carolina and Northwestern Railway Company for the Atlantic Avenue Extension Project.

Section 2. That this resolution shall become effective upon its adoption.

Adopted: 10/18/83

REHABILITATION WARRANTY CASE - 710 EAST MARTIN STREET - APPROVED

It is requested that the City Council authorize $550 to be used from the Rehab Warranty Account to satisfy warranty claims brought to our attention by the homeowners and verified by staff inspection.

All rehabilitation work has a one year warranty and the contractor has not honored this warranty by returning to make necessary repairs. The Community Development Department's attorney has taken legal action against the contractor on behalf of the homeowner in an attempt to regain the funds necessary to honor the warranty claims. A judgement has been ruled against the contractor.

Recommendation: Approval is recommended. Consent Agenda approval: Walters/Jordan - 7 ayes.

SANITARY SEWER EXTENSION - BOULEVARD ASSOCIATES - APPROVED

Administration has received a letter from Jean Pruneau, of Boulevard Associates, requesting consent of the City Council to extend an 8-inch gravity sanitary sewer main northward, along U. S. 1 North, from an existing main in Millbrook Road, to serve the property owned by Boulevard Associates and leased by Wiygul Ford, located south of Spring Forest Road.

This request is in accordance with the City Code. We find that this installation is in the best interest of the City, and therefore, recommend the City Council's issuance of a consent to extend the system for this line.

Recommendation: Approval is recommended. Consent Agenda approval: Walters/Jordan - 7 ayes.

EMERGENCY COMMUNICATIONS CENTER - SECOND PIN TERMINAL - RESOLUTION AND MUNICIPAL AGREEMENT - APPROVED

The Police Information Network Division of the North Carolina Department of Justice desires renewal of a resolution by the City Council which will authorize two PIN data terminals to be located at the Emergency Communications Center. Additionally, a Municipal Agreement requires accomplishment to reflect the change of lease costs -- from $200 to $400 per month for the two terminals. A copy of these two documents was included with Council Members' Agenda packets.

Recommendation: City Council approval of the appropriate resolution and Municipal Agreement is recommended and authorization for the Manager and Mayor to sign is requested. Consent Agenda approval: Walters/Jordan - 7 ayes.

RESOLUTION NO. (1983) 367

COPY OF A RESOLUTION PASSED BY THE
CITY COUNCIL OF THE CITY OF
RALEIGH, NORTH CAROLINA

The following resolution was offered by Councilman Walters, and a motion was made by Councilman Walters that it be adopted, this motion was seconded by Councilman Jordan, and upon being put to a vote, was unanimously carried;

WHEREAS, the North Carolina Department of Justice, Police Information Network plans to make available to law enforcement agencies and other appropriate agencies of the State through the use of a centralized computer system various information now available or to be developed essential to the efficient operation of said agencies such as, but not limited to, information contained in the Department of Motor Vehicles' files, information contained in the National Crime Information Center, information contained in the State Bureau of Investigation's files, Department of Corrections' files, and information from local law enforcement agencies by the installation of a Police Information Network terminal in the Emergency Communications Center of the City of Raleigh provided the City of Raleigh agrees to furnish a proper site for installing such terminal, and the necessary personnel to operate said terminal, and further agrees to assume the rental cost of such terminal from the date of installation; that said installation of a Police Information Network terminal is considered to be most necessary to the preservation of law and order and the promotion of public safety within the Municipality; and

WHEREAS, the North Carolina Department of Justice, Police Information Network and this Municipality have agreed as follows:

A. The North Carolina Department of Justice, Police Information Network will install and maintain a video terminal and printer connected to the Police Information Network system and also train operators selected and paid by the Municipality to operate such terminal.

B. The municipality shall furnish a proper site for installation of a Police Information Network terminal and also furnish personnel to operate said terminal.

C. The municipality shall assume the rental cost (which cost includes maintenance) of two Police Information Network terminals in the amount of $400.00 (per month) beginning from date of installation.

NOW, THEREFORE, BE IT RESOLVED that the installation of a second Police Information Network terminal be and it is hereby formally approved by the City Manager/Public Safety Director of the City of Raleigh and that the Mayor and City Manager of this Municipality be and they are hereby empowered to sign and execute the required Agreement between this Municipality and the North Carolina Department of Justice, Police Information Network.

This Resolution was passed and adopted the 18th day of October, 1983.

I, L. P. Zachary, Jr., Manager of the City of Raleigh, North Carolina, do hereby certify that the foregoing is a true and correct copy of excerpts from the minutes of the City Council of this Municipality;

WITNESS, my hand the official seal of the City of Raleigh on this 19th day of October, 1983.

/s/ L.P. ZACHARY, JR.
City Manager/Public Safety Director

City of Raleigh, North Carolina

CETA - BUDGET TRANSFER - APPROVED

The CETA Administrative Closeout Budget ($152,613) was approved by Council on September 20, 1983. It now becomes necessary to make appropriate transfers from FY 83 Consolidated (IIB & IVA) and Summer Youth Employment Program (SYEP) budgets, in order to make funds available for the Administrative Closeout Budget. Under request from the Department of Labor, funds have also been voluntarily transferred to the Governor, thus, the budget revision

reflects this transfer. A copy of the necessary transfers will be included with Council Members' Agenda material.

Recommendation: It is requested that these transfers be approved so that funding will be available for CETA Closeout. Consent Agenda approval: Walters/Jordan - 7 ayes. See Resolution 373 TF 9.

TAXICAB OWNER'S PERMITS - APPROVED ON SECOND AND FINAL CONSIDERATION

Applications have been received from the following to operate a taxi. The applications have been checked and meet the requirements of Section 12-2053 of the City Code. The applications were approved on the first reading during the October 4, 1983, Council Meeting. It would be appropriate for the Council to approve these on a second and final consideration.

William M. Bass, Sr., Ebony Cab Company (New Individual Owner's Permit)
John Jasper Green, Jr., Ebony Cab Company (Renewal of Individual Owner's Permit)
William R. Williams, Yellow Cab Company (Franchise Renewal)
Calvin Berry Bagwell, Sr., Safety Taxi Company (Franchise Renewal)
Silas Sills and Dennis Sills, Holiday Cab Company (Franchise Renewal)
Clyde Hood Johnson, Johnson Limousine Services (Franchise Renewal)
Johnnie Maryland Young, Young Taxi Company (Franchise Renewal)
Silas Webb, Jr., and Stacey Sylvia Webb, Webb Limousine and Taxi Company (Franchise Renewal)

Consent Agenda approval: Walters/Jordan - 7 ayes.

TAXICAB OWNER'S PERMIT - APPROVED ON FIRST CONSIDERATION - TO BE PLACED ON 11/3/83 AGENDA

Applications have been received from the following to operate a taxi. The applications have been checked and meet the requirements of Section 12-2053 of the City Code. Approval is recommended. If approved, these applications will be placed on the November 3, 1983, Agenda for second and final consideration.

The following applications are for Franchise Renewals:

Henry Benjamin Murray, Southern Cab Company
Irvin Eugene Doggett, Strop Taxi Company, Inc.
Melvin Griffin, Sr., Prestigest Limousine Service
Johnnie Jones, Jr., Raleigh Courtesy Limousine Service Lonnie Lymon Wilder, Acme Cab Company

Consent Agenda approval: Walters/Jordan - 7 ayes.

PARKS AND RECREATION DEPARTMENT - BUDGET AMENDMENT - ORDINANCE ADOPTED

The Agenda presented a budget amendment in the amount of $1,000 to place into an expense account contributions made by Crabtree Valley Sertoma Club for further development in the Shelley/Sertoma Park. The Agenda outlined the revenue and expense accounts that should be amended. Administration recommends approval. Consent Agenda approval: Walters/Jordan - 7 ayes. See Ordinance 206.

PRIVILEGE LICENSE - REQUEST FOR REFUND - APPROVED

Mr. Richard D. Wilson, owner of Information Storage & Reporting Systems, Inc., located at 4600 Marriott Drive, Suite 130, has given written request for a refund for the 1983-1984 privilege license year. The reason for this request is that it has been discovered that this location, 4600 Marriott Drive, is located outside the City Limits.

The amount of money in question is $85 and Administration has verified that the above property is outside the City Limits.

Recommendation: It is recommended that the request for refund be approved. Consent Agenda approval: Walters/Jordan - 7 ayes.

CIVIC CENTER - RENT-FREE USE - INFORMATION RECEIVED

Approval has been granted for rent-free use of Meeting Rooms B and D, and the Northeast Exhibit Hall at the Civic Center on Thursday, October 20, 1983, for the Downtown Development Workshop.

Approval has been granted for the rent-free use of the Civic Center on Monday, November 7, 1983, for the Annual Awards Banquet for the Mayor's Committee on Services to the Handicapped.

The item was received as information without comment.

PRIVATE SECTOR HOUSING COMMITTEE REPORT - INFORMATION RECEIVED

During the September 20, 1983, Council Meeting, the Law and Finance Committee made a number of recommendations about the recommendations of the Private Sector Housing Committee. Administration was directed to take certain steps related to the Bragg Street housing site and we were urged to get this done by the second meeting in October. We are working on this assignment but do not have it ready to report out at this meeting.

The item was received as information without comment.

TRANSFERS - ADMINISTRATIVE - INFORMATION RECEIVED

Members of Council received in their Agenda packet a list of administrative transfers which have been authorized according to Council procedure. Concurrence with the Manager's action is recommended. Consent Agenda approval: Walters/Jordan - 7 ayes. The transfers were as follows:

FROM	TO	AMOUNT
38-2-2030-100	38-2-2030-103	$500.00
01-2-1150-260	01-2-1150-226	62.50
01-2-5020-260	01-2-5020-717	105.00
84-2-1060-000	84-2-1010-401	475.00
01-2-6010-743	01-2-6010-602	25.00
01-2-1170-260	01-2-1170-265	20.50
06-2-7100-002	06-2-7090-750	225.00
40-2-1000-100	40-2-2500-101	700.00
01-2-6010-644		150.00
01-2-6010-740		150.00
	01-2-6010-652	300.00

TRANSFERS - WITHIN VARIOUS ACCOUNTS - ORDINANCE ADOPTED

The Agenda listed various transfers within code accounts and appropriations from contingencies for purposes as set out therein with recommendation of approval. Consent Agenda approval: Walters/Jordan - 7 ayes. See Ordinance 207 TF 7.

ORDINANCE NO. (1983) 207 TF 7

WHEREAS, it appears desirable and for the best interest of the City of Raleigh and its citizens that funds in the amounts hereinafter set forth heretofore appropriated as set forth in the appropriations ordinance adopted June 21, 1983, and included in the budget for the fiscal year ending June 30, 1984, be transferred from one account as permitted and authorized by the General Statutes of North Carolina, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the amounts hereinafter set forth be and are hereby transferred for the purpose shown:

CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From 01-2-1040-001	Contingency	$5,665.33
To 01-2-1040-0303	Infill Sewer	5,665.33

Purpose: To provide funds for financial assistance for sanitary sewer service.

From 06-2-7100-0001	Council Reserve	$1,888.45
To 06-2-7100-0514	Infill Sewer	1,888.45

Purpose: To provide funds for financial assistance for sanitary sewer service.

From 01-2-6010-0100	Salaries	$75,000.00
To 01-2-6010-0101	Salaries Contractual	75,000.00

Purpose: To establish an account to pay for contractual services for sports officials and other contractural instructors in various programs.

From 01-2-6000-0100	Salaries	$8,696.00
To 01-2-6010-0100	Salaries	8,696.00

Purpose: To place into Recreation Division the funds appropriated for an Office Assistant IV in the Administration Division.

From 38-2-3040-0100	Green Road	$1,265.00
To 38-2-3040-0104	Green Road D	1,265.00

Purpose: To establish account for soil investigation and engineering services at Green Road Park Community Center.

From 01-2-1040-0001	Contingency	$6,740.00
To 01-2-4020-0225	Repairs to Bldg.	6,740.00

Purpose: Additional funds needed to repair leaks in wall at Training Center.

From 43-2-4050-0102	ED Loan Pool			$2,000.00
To 43-2-4050-0107	DT Workshop			2,000.00

Purpose: To complete funding of Downtown Workshop by City's portion.

a. Jaycee Center

From 19-2-8010-100	Salaries	Revolving	Varied	$11,000.00
To 19-2-8010-101	Salaries Contr	Revolving	Varied	$11,000.00

b. Lions Center

From 19-2-8020-100	Salaries	Revolving	Varied	$ 1,000.00
To 19-2-8020-101	Salaries Contr	Revolving	Varied	$ 1,000.00

c.	Golden Years Program				
	From 19-2-8030-100	Salaries	Revolving	Varied	$ 4,000.00
	To 19-2-8030-101	Salaries Contr	Revolving	Varied	$ 4,000.00
d.	Pullen Arts & Crafts				
	From 19-2-8040-100	Salaries	Revolving	Varied	$16,100.00
	To 19-2-8040-101	Salaries Contr	Revolving	Varied	$16,100.00
e.	Roberts Center				
	From 19-2-8060-100	Salaries	Revolving	Varied	$ 1,000.00
	To 19-2-8060-101	Salaries Contr	Revolving	Varied	$ 1,000.00
f.	Method Center				
	From 19-2-8090-100	Salaries	Revolving	Varied	$ 300.00
	To 19-2-8090-101	Salaries Contr	Revolving	Varied	$ 300.00
g.	Tennis Program				
	From 19-2-8130-100	Salaries	Revolving	Varied	$ 2,000.00
	To 19-2-8130-101	Salaries Contr	Revolving	Varied	$ 2,000.00
h.	Halifax Center				
	From 19-2-8180-100	Salaries	Revolving	Varied	$ 400.00
	To 19-2-8180-101	Salaries Contr	Revolving	Varied	$ 400.00
i.	Chavis Center				
	From 19-2-8350-100	Salaries	Revolving	Varied	$ 500.00
	To 19-2-8250-101	Salaries Contr	Revolving	Varied	$ 500.00
j.	General Recreation				
	From 19-2-8260-100	Salaries	Revolving	Varied	$ 1,500.00
	To 19-2-8260-101	Salaries Contr	Revolving	Varied	$ 1,500.00
k.	Worthdale Center				
	From 19-2-8300-100	Salaries	Revolving	Varied	$ 200.00
	To 19-2-8300-101	Salaries Contr	Revolving	Varied	$ 200.00
l.	Optimist Center				
	From 19-2-8340-100	Salaries	Revolving	Varied	$11,500.00
	To 19-2-8340-101	Salaries Contr	Revolving	Varied	$11,500.00
m.	Carolina Pines Center				
	From 19-2-8350-100	Salaries	Revolving	Varied	$ 3,000.00
	To 19-2-8350-101	Salaries Contr	Revolving	Varied	$ 3,000.00
n.	Millbrook Center				
	From 19-2-8360-100	Salaries	Revolving	Varied	$22,000.00
	To 19-2-8360-101	Salaries Contr	Revolving	Varied	$22,000.00
o.	Sertoma Arts Center				
	From 19-2-8390-100	Salaries	Revolving	Varied	$28,000.00
	To 19-2-8390-101	Salaries Contr	Revolving	Varied	$28,000.00
p.	Biltmore Hills Center				
	From 19-2-8400-100	Salaries	Revolving	Varied	$ 1,000.00
	To 19-2-8400-101	Salaries Contr	Revolving	Varied	$ 1,000.00
q.	Southgate Center				
	From 19-2-8420-100	Salaries	Revolving	Varied	$ 200.00
	To 19-2-8420-101	Salaries Contr	Revolving	Varied	$ 200.00
r.	Tarboro Rd Center				
	From 19-2-8430-100	Salaries	Revolving	Varied	$ 1,000.00
	To 19-2-8430-101	Salaries Contr	Revolving	Varied	$ 1,000.00
s.	Carriage House				
	From 19-2-8440-100	Salaries	Revolving	Varied	$ 300.00
	To 19-2-8440-101	Salaries Contr	Revolving	Varied	$ 000.00

Purpose: To establish accounts for payment of contractual services.

From 06-2-7100-0002	Contingency	$12,969.52
To 06-2-7010-0100	Salaries	12,969.52

Purpose: To provide funds for Civil Engineer I position for eight months.

From 01-2-1040-0001	Contingency	$ 981.00
To 01-2-1020-0100	Salaries - City Clerk	981.00

Purpose: To fund reclassification of OA-III to OA-IV for remainder of fiscal year.

From	01-2-1040-0001	Contingency	$ 7,500.00
To	01-2-3010-0100	Salaries	7,500.00

Purpose. To fund new OA-III in the accounting division.

Adopted: 10/18/83

PU 1983 - 16 - CREEDMOOR ROAD AREA - RESOLUTION OF INTENT ADOPTED

It was recommended that approximately 422 feet of 8-inch sewer main be installed beginning at the southwest corner of 6116 Creedmoor Road along the east property line of 6104 and 6100 Creedmoor Road and continuing south another 150 feet and then east 14 feet to an existing manhole in Valley Estates. The estimated cost is $11,000 with assessment by front foot method to apply. It is recommended that the Council adopt a Resolution of Intent and set a public hearing date for November 15, 1983. Consent Agenda approval: Walters/Jordan - 7 ayes.

RESOLUTION NO. (1983) 368

A RESOLUTION INDICATING THE INTENT OF THE CITY COUNCIL TO EXTEND THE SEWER SYSTEM OF THE CITY OF RALEIGH AND ASSESS THE COST AGAINST LAND ASSESSABLE THEREFOR AND SETTING A PUBLIC HEARING TO CONSIDER THE QUESTION

WHEREAS, the City Council of the City of Raleigh is authorized by Article 10 of Chapter 160A of the General Statutes of North Carolina to direct that the sewer system of the City of Raleigh be constructed, reconstructed, extended and otherwise improved and the cost thereof to be assessed against lands assessable therefor; and

WHEREAS, the City Council of the City of Raleigh finds it to be in the best public interest to construct sewer mains located and described as follows:

PU 1983-16 - Installation of 422 feet± of eight inch sewer main beginning at the southeast corner of 6116 Creedmoor Road along the east property line of 6104 and 6100 Creedmoor Road and continuing south another 150 feet and then east 14 feet to an existing manhole in Valley Estates

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That it is intended that the above described improvements be made and that the costs thereof be assessed against property abutting thereon pursuant to and by virtue of the provisions of Article 10 of Chapter 160A of the General statutes of North Carolina.

Section 2. That 100 percent of the total cost of said improvement which can be assessed according to the provisions of part 8, Chapter 2, Article B, Section 8-2033 et seq. of the City Code be assessed against the property receiving the improvement. Assessments will be made according to the following method: Front footage of property abutting the extension.

Section 3. That the terms and manner of payment of the assessments herein provided for shall be as follows: That said assessments shall be payable in cash or, if any property owner shall so elect and give notice of the fact, in writing, to the City of Raleigh in accordance with the provisions of Section 160A-232 of the General Statutes of North CArolina, as amended, such property owner shall have the option and privilege of paying the assessments in ten equal annual installments, such installments to bear interest at the rate of 6 percent per annum from the date of confirmation of the assessment roll, payable annually on the unpaid balance of the assessment.

Section 4. That a public hearing on all matters covered by this resolution shall be held on the 15th day of November, at 7:00 p.m., in the Council Chamber, Room 315, Municipal Building, or as soon thereafter as the matter can be reached.

Adopted: October 18, 1983

TRAFFIC - VARIOUS CHANGES - ORDINANCES ADOPTED

The Department of Transportation recommends that East Street, both sides, Edenton Street to Jones Street, be added to Traffic Schedule No. 21-C, Controlled Parking, Residential Area C.

The block is contiguous to the existing Area C and is primarily residential in nature. A valid petition has been received, signed by representatives of 74% of the residential units on the street, and a Parking Study has been conducted which showed 89% parking occupancy, with 89% of the vehicles registered outside the study area. If approved, this will result in the addition of one block of East Street to Control Parking Residential Area C. Consent Agenda approval: Walters/Jordan - 7 ayes. See Ordinance 208.

The Department of Transportation recommends, in order to prevent large trucks from using residential streets in Cameron Park and Cameron Village, that the following extensions of local truck routes be established:

(1) Oberlin Road from Hillsborough Street to Wade Avenue.

(2) Wade Avenue from St. Mary's Street to Oberlin Road.

Three or more axle trucks making deliveries within Raleigh are required to follow local truck routes, usually major thoroughfares, until they reach the point nearest their destination (through trucks are prohibited from using any streets within the City). Glenwood Avenue and Hillsborough Street are currently local truck routes; however, there are no other routes between those two streets resulting in the Truck Route Ordinance literally requiring such trucks going to the Cameron Village Shopping Center to use residential streets either in Cameron Park or in Cameron Village. This recommendation is intended to require those trucks to approach Cameron Village by way of Hillsborough Street and Oberlin Road or Wade Avenue and Oberlin Road. Consent Agenda approval: Walters/Jordan.

ORDINANCE NO. (1983) 208

AN ORDINANCE TO AMEND THE TRAFFIC SCHEDULE OF THE CITY OF RALEIGH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Traffic Schedule No. 2 entitled "STOP INTERSECTIONS" be amended by adding the following:

Hargett Street at Boylan Avenue

Amend said Section further by deleting the following:

Boylan Avenue at Hargett Street

Section 2. That Traffic Schedule No. 13 entitled "NO PARKING ZONES" be amended by adding the following:

Boylan Avenue, east side, from Hargett Street northward, 100 feet
Boylan Avenue, both sides, between Montford Avenue and Hargett Street

Amend said Section further by deleting the following:

Amend said Section further by deleting the following:

Boylan Avenue, west side, beginning at a point 223 feet south of Hargett Street southward, 120 feet
Boylan Avenue, west side, from Hargett Street southward, 55 feet
Boylan Avenue, northeast corner, at Hargett Street, 50 feet
Boylan Avenue, southeast corner, at Hargett Street, 100 feet

Section 3. That Traffic Schedule No. 21-C entitled "CONTROL PARKING RESIDENTIAL AREA C" be amended by adding the following:

East Street, both sides, Edenton Street to Jones Street

Section 4. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. That this ordinance shall become effective October 25, 1983.

Adopted: 10/18/83

Effective: 10/25/83

The Department of Transportation recommends that the Stop Sign on the southbound approach of Boylan Avenue and Hargett Street be removed and Stop Signs be established on each approach of Hargett Street at Boylan Avenue. It is further recommended that No Parking Anytime be implemented on both sides of the new bridge and its approaches between Hargett Street and Montford Avenue. Also, it is recommended that a 100-foot No Parking Zone be established on the east side of Boylan Avenue and extend northward 100 feet from Hargett Street.

The Boylan Avenue bridge has reopened and the above controls are necessary to create positive right-of-way controls for Boylan Avenue. The No Parking on the northeast corner of Boylan Avenue and Hargett Street is needed to provide adequate sight distance for vehicles egressing from the east leg of Hargett Street. Consent Agenda approval: Walters/Jordan - 7 ayes.

ORDINANCE NO. (1983) 209

AN ORDINANCE TO AMEND THE TRAFFIC SCHEDULE OF THE CITY OF RALEIGH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Traffic Schedule No. 11 entitled "LOCAL TRUCK ROUTES" be amended by adding the following:

J. Wade Avenue from Downtown Boulevard to Oberlin Road

HH. Oberlin Road from Hillsborough Street to Wade Avenue

Amend said Section further by deleting the following:

J. Wade Avenue from downtown Boulevard to Glenwood Avenue

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective October 25, 1983.

Adopted: 10/18/83

Effective: 10/25/83

END OF CONSENT AGENDA

REPORT OF THE PLANNING COMMISSION

PLANNING COMMISSION CONSENT AGENDA - APPROVED AS AMENDED

Mayor York presented the Planning Commission Consent Agenda indicating it will be handled in the same manner as the regular Consent Agenda. Mr. Edwards requested that CR-3021 (S-114-83) be withdrawn. Mr. Upchurch requested that CR-3028 (S-133-83) be withdrawn. Mr. Edwards moved the Planning Commission's recommendation on the remaining items on the Consent Agenda be upheld. His motion was seconded by Mr. Walters and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. The items on the Consent Agenda were as follows:

SUBDIVISION S-71-83 - COLD SPRING ESTATES CLUSTER DEVELOPMENT - DENIED

This was a request for approval to subdivide a 53.8 acre tract, zoned Residential-1, into 54 lots, developed as a cluster development. The site is currently developed with a residential unit.

The property is located at the northern end of Cold Springs Road, just north of Strickland Road, outside the City Limits.

CR-2056 from the Planning Commission recommended that this request be denied according to a map entitled, "Cold Spring Estates Cluster Development," the property of A. Glenn Barwick, drawn by Triangle Engineering and Surveying, Inc., dated July 1, 1983. Consent Agenda approval: Edwards/Walters - 7 ayes.

PA-187 - NORTH CAROLINA ELECTRICAL MEMBERSHIP CORPORATION GRADING PLAN - APPROVED

This was a request for approval to grade in a 50-foot strip of Office and Institution-III zoned land along the frontage of a proposed office building. Any site work in Office and Institution-III requires site plan approval. The parcel is split-zoned - 50 feet along US 1 North is zoned Office and Institution-III; the remaining portion is zoned Industrial-I.

The property is located on the east side of US 1 North, just south of the K-Mart Shopping Center, outside the City Limits.

CR-3020 from the Planning Commission recommended that this request be approved according to a map entitled, "North Carolina Electrical Membership Corporation Grading Plan," the property of the North Carolina Electrical Membership Corporation, drawn by Doggett Architects, dated July 22, 1983. Consent Agenda approval: Edwards/Walters - 7 ayes.

SUBDIVISION S-116-83 - CREEDMOOR CROSSINGS REVISION - APPROVED

This was a request for approval to subdivide a 12.25 acre tract which is currently undeveloped and zoned Office and Institution-I (10.5 acres) and Conservation/Buffer (1.7 acres) into five (5) lots.

The property is located at the southwest corner of NC 50 (Creedmoor Road) and Crossings Way, outside the City Limits.

CR-3022 from the Planning Commission recommended that this request be approved according to a map entitled, "Creedmoor Crossings Revision," the property of Plaza Associates, Incorporated, drawn by John Y. Phelps, dated August 1, 1983. Consent Agenda approval: Edwards/Walters - 7 ayes.

SUBDIVISION S-123-83 - POWELL DRIVE TOWNHOUSES - APPROVED WITH CONDITIONS

This was a request for approval of a 16-unit townhouse project on a 2.68 acre tract which is currently undeveloped and zoned Residential-6.

The property is located on the west side of Powell Drive, just south of Driftwood Drive, inside the City Limits.

CR-3023 from the Planning Commission recommended that this request be approved according to a map entitled, "Powell Drive Townhouses," the property of Richardson, Edwards, and others, drawn by Murphy and Associates, and Vernon W. Johnson, dated September 22, 1983, with the following conditions: (1) That the property be recombined into one (1) parcel; and (2) that the legal documents for the private, non-profit homeowners association be approved by the City Attorney's Office prior to recording the final plats. Consent Agenda approval: Edwards/Walters - 7 ayes.

SUBDIVISION S-126-83 - LAKE WHEELER ROAD INDUSTRIAL PARK - VARIANCE IN STREET LENGTH BE GRANTED - SUBDIVISION APPROVED

This was a request for approval to subdivide a 12.9 acre tract which is zoned Industrial-I into seven (7) lots. The site is currently being developed as mini storage units on the area shown as Lot 7. The applicant also requests a variance for street length [Section 10-3046(b)] based on existing development and topographical features on the site.

The property is located on the south side of Highway 40, just east of Lake Wheeler Road and north of Kirkland Drive, inside the City Limits.

CR-3024 from the Planning Commission recommended that the request for variance for street length be granted, based on Code Section 10-3004, and that, upon granting the variance, S-126-83 be approved according to a map entitled, "Lake Wheeler Road Industrial Park," the property of Guy C. Lee, MFG, drawn by Bass, Nixon and Kennedy, dated September 29, 1983. Consent Agenda approval: Edwards/Walters - 7 ayes.

SUBDIVISION S-129-83 - SNELLING INDUSTRIAL CENTER, LOT 3 - APPROVED

This was a request for approval to subdivide a 3.0 acre tract which is currently undeveloped and zoned Industrial-I into three (3) lots.

The property is located on the north side of Purser Drive, just west of US 401 South, outside the City Limits.

CR-3026 from the Planning Commission recommended that this request be approved according to a map entitled, "Snelling Industrial Center, Lot 3," the property of C. L. Byrd, drawn by L. I. Chasik, dated August 28, 1983. Consent Agenda approval: Edwards/Walters - 7 ayes.

SUBDIVISION S-132-83 - BLOSSOM RIDGE TOWNHOUSES - APPROVED WITH CONDITIONS

This was a request for approval to construct an eight (8) unit townhouse project on 1.5 acres, zoned Residential-6. One of the units is existing and a single-family unit will be part of this project.

The property is located on the east side of Ray Road, just south of Lynn Road, outside the City Limits.

CR-3027 from the Planning Commission recommended that this request be approved according to a map entitled, "Blossom Ridge Townhouses," the property of Hoerner and Associates, Incorporated, drawn by Alan Turner, AIA, dated September 18, 1983, with the condition that the legal documents for the non-profit homeowners association be reviewed and approved by the City Attorney's Office prior to recording the final plats. Consent Agenda approval: Edwards/Walters - 8 ayes.

SUBDIVISION S-135-83 - BULLARD POPE OFFICE CONDOMINIUMS - APPROVED

This was a request for approval to construct a 32,000 square foot office condominium project consisting of two (2) buildings on a 2.27 acre parcel which is currently undeveloped and zoned Office and Institution-I.

The property is located at the end of Bullard Court, just east of Falls of the Neuse Road, inside the City Limits.

CR-3029 from the Planning Commission recommended that this request be approved according to a map entitled, "Bullard Pope Office Condominiums," the property of Bern Bullard Industries, Incorporated, drawn by Bass, Nixon and Kennedy, dated October 3, 1983. Consent Agenda approval: Edwards/Walters - 7 ayes.

SUBDIVISION S-136-83 - COUNTRY CLUB HILLS, LOT 299 - APPROVED WITH CONDITIONS

This was a request for approval to subdivide a 0.9 acre lot which is currently undeveloped and zoned Residential-4 into two (2) lots, and granting a variance for additional right-of-way dedication and street construction.

The property is located on the west side of Alamance Drive, at the intersection of Yadkin Street, inside the City Limits.

CR-3030 from the Planning Commission recommended that this request be approved according to a map entitled, "Country Club Hills, Lot 299," the property of Henry H. Sink, Jr., and Wife, drawn by Gerald M. White, dated August 30, 1983, with the following conditions: (1) That the additional five feet (5') of right-of-way is dedicated, and (2) that the subdivider be allowed to post security in lieu of making street improvements for Lot 299 B (one-half (½) of a 41-foot street and sidewalk). Consent Agenda approval: Edwards/Walters - 7 ayes.

SUBDIVISION S-137-83 - SUMMERFIELD NORTH CLUSTER DEVELOPMENT - APPROVED WITH CONDITIONS

This was a request for approval to subdivide a 41.9 acre tract which is currently undeveloped and zoned Residential-4 into a cluster development consisting of 57 single-family, detached lots and 104 townhouse units (total - 161 units).

The property is located north of Mourning Dove Road, west of Running Cedar Trail and south of Strickland Road, outside the City Limits.

CR-3031 from the Planning Commission recommended that this request be approved according to a map entitled, "Summerfield North Cluster Development," the property of Howard Perry and Walston Realtors, drawn by Kenneth Martin and Cardovial Blackmon, Jr., dated August 29, 1983, with the condition that the legal documents for the non-profit homeowners association be reviewed and approved by the City Attorney's Office prior to recording the final plats. Consent Agenda approval: Edwards/Walters - 7 ayes.

SUBDIVISION S-138-83 - NORTH BOULEVARD INDUSTRIAL PARK - APPROVED - VARIANCE DENIED

This was a request for approval to subdivide a 13.7 acre tract into two (2) parcels. Parcel 1 (4.6 acres) is zoned Shopping Center and is developed as a business. Parcel 2 (9.1 acres) is zoned Residential-10 and is vacant. The applicant also requests the granting of a variance not to construct a sidewalk on the west side of the proposed New Hope Road, and also requests to move the sidewalk along the eastern side of the existing New Hope Road to the west side.

The property is located at the southeast corner of US 401 North and New Hope Church Road, outside the City Limits.

CR-3032 from the Planning Commission recommended that this request be approved according to an as-drawn map entitled, "North Boulevard Industrial Park," the property of North Boulevard Industrial Park, drawn by Bernie R. Smith, dated August 3, 1983; and that the variance request not to construct a sidewalk on the west side of the proposed New Hope Road and to move the sidewalk along the eastern side of the existing New Hope Road to the west side be denied. Consent Agenda approval: Edwards/Walters - 7 ayes.

SUBDIVISION S-139-83 - SUTTON PARK - APPROVED WITH CONDITIONS

This was a request for approval to subdivide a 57.2± acre tract which is undeveloped and zoned Residential-6 into 56 lots. Fifty-four (54) of the lots are to be constructed as townhouse units.

The property is located at the east end of Old Wake Forest Road, east of US 1 North and behind the K-Mart Shopping Center, outside the City Limits.

CR-3033 from the Planning Commission recommended that this request be approved according to a map entitled, "Sutton Park," the property of BB&G Associates, drawn by Triangle Engineering Services, dated September 22, 1983, with the following conditions: (1) That no plats be recorded prior to verifying capacity of the treatment plant; (2) that the legal documents for the townhouse common party wall maintenance, cross-access and parking agreements be reviewed and approved by the City Attorney's Office prior to recording the final plats; (3) that a storm water management plan and program be developed and approved by the Staff in conformance with the Perry Creek Storm Water Policy being formulated by the City Council; and (4) that all associated development fees required in the Perry Creek Drainage area be paid when the project is developed. Consent Agenda approval: Edwards/Walters - 7 ayes.

SUBDIVISION S-141-83 - RALEIGH HOUSING AUTHORITY - APPROVED

This was a request for approval to subdivide a 9.41 acre parcel which is zoned Residential-10 (8.54 acres) and Residential-4 (.86 acre) and is currently undeveloped into two (2) lots and dedication of Lot 2 to the City for greenway.

The property is located just north of the intersection of Pickwick Drive and Grimstead Lane and west of Leesville Road, outside the City Limits.

CR-3034 from the Planning Commission recommended that this request be approved according to a map entitled, "Raleigh Housing Authority," the property of Housing Authority of the City of Raleigh, drawn by George M. Smart, Inc., dated September 26, 1983. Consent Agenda approval: Edwards/Walters - 7 ayes.

SC-208 - FIRESTONE STORE - APPROVED WITH CONDITIONS

This was a request for approval to construct a 7,140 square foot tire service store on a 0.5 acre tract which is currently developed as a restaurant and zoned Shopping Center.

The property is located at the northeast corner of US 70 West and Deblyn Avenue (existing restaurant), inside the City Limits.

CR-3035 from the Planning Commission recommended that this request be approved according to a map entitled, "Firestone Store," the property of Firestone Tire and Rubber Company, drawn by Envirotek, Incorporated, dated September 23, 1983, with the condition that the cross-parking and access agreements are recorded prior to issuing building permits. Consent Agenda approval: Edwards/Walters - 8 ayes.

SC-210 - HUNT CLUB APARTMENTS - APPROVED

This was a request for approval to construct 180 apartments on 13.74 acres which are currently undeveloped and zoned Shopping Center.

The property is located at the southeast corner of Jones Franklin Road and Western Boulevard, inside the City Limits.

CR-3036 from the Planning Commission recommended that this request be approved according to a map entitled, "Hunt Club Apartments," the property of David Falk, drawn by Castleberry and Edgerton Company, dated October 4, 1983. Consent Agenda approval: Edwards/Walters - 7 ayes.

END OF PLANNING COMMISSION CONSENT AGENDA

SUBDIVISION S-114-83 - LITCHFORD PARK CONDOMINIUMS - REFERRED TO PUBLIC WORKS COMMITTEE

This was a request for approval to construct a 314-unit condominium project consisting of 22 buildings on 34.18 acres which are currently undeveloped and zoned Residential-10. The developer proposes to construct the project in six (6) phases.

The property is located on the northeast corner of Litchford Road and Rowland Road, outside the City Limits.

CR-3021 from the Planning Commission recommended that this request be approved according to a map entitled, "Litchford Park Condominiums," the property of R & R Properties, drawn by McNeely Associates, dated October 6, 1983, with the following conditions, (1) That a storm water management program and plan be developed and approved by Staff in conformance with the Perry Creek Storm Water Policy being formulated by the City Council; and (2) that this development must comply with all aspects of the Perry Creek Basin Sanitary Sewer Financing Plan, including paying all associated development fees required within the Perry Creek drainage basin.

Mr. Edwards indicated he had requested that this item be withdrawn from the Consent Agenda pointing out he would like to refer the subdivision to the Public Works Committee for consideration of the entire subdivision. His motion was seconded by Mr. upchurch and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

SUBDIVISION S-133-83 - SALEM WOODS - REFERRED TO COMPREHENSIVE PLANNING COMMITTEE

This was a request for approval to subdivide a 34-acre tract which is currently undeveloped and zoned Residential-1 into 31 lots.

The property is located at the southeast corner of Six Forks Road and Mount Vernon Church Road, outside the City Limits.

CR-3028 from the Planning Commission recommended that this request be approved according to a map entitled, "Salem Woods," the property of C. M. McDaniel and Wife, drawn by Murphy and Associates, dated August 31, 1983.

Mr. Upchurch indicated this property is in the North District Planning District and the Falls area and he would request that Subdivision S-133-83 be referred to the Comprehensive Planning Committee. His motion was seconded by Mr. Keller and put to a vote and was passed unanimously. The Mayor ruled the motion adopted.

COMMITTEES, COMMISSIONS AND BOARDS

GREENWAY COMMISSION - APPOINTMENTS MADE; ONE VACANCY REMAINING

The City Clerk indicated the following terms expire October 20, 1983: Joy Downs, Eleanor Nunn, Julius R. Haywood, Juliette Newcombe, and Lou Bryan. Nominations include Ms. Newcombe, Ms. Bryan, Dr. Thomas Ellerman and David D. King. Nominations have not been closed. Brief discussion took place and Mr. Edwards moved that the four people that have been nominated be appointed by acclamation which would leave one vacancy. His motion was seconded by Mr. Upchurch and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

Mr. Walters indicated he would like to make a nomination with the understanding if the person cannot serve he will withdraw the nomination at the next meeting. Mr. Walters nominated Tyler Toulon, 2227 Lynnhurst Drive. No further action was taken.

HUMAN RESOURCES AND HUMAN RELATIONS ADVISORY COMMITTEE - NOMINATIONS MADE

The City Clerk reported one vacancy due to the enlargement of this committee and a second upcoming vacancy as the term of Peter Andrews expires on November 20, 1983. He is eligible for reappointment. No nominations have been made. Mr. Upchurch nominated Mr. Andrews. No further action was taken.

YOUTH COUNCIL ADVISORY BOARD - NOMINATIONS MADE

The City Clerk reported one vacancy as the term of Kay F. Letterman expired September 3. No nominations have been made. Mr. Walters nominated Sarah Harris. No further action was taken.

HOUSING APPEALS BOARD - NO ACTION TAKEN

The City Clerk reported one vacancy for an alternate member of the Housing Appeals Board as a result of a recent ordinance enlarging the Board. No nominations have been made. No nominations were made.

TELECOMMUNICATIONS COMMISSION - COUNCIL'S INTENT OF COMBINING AND ENLARGING COMMISSION APPROVED - APPOINTMENTS MADE - TWO VACANCIES REMAINING

The City Clerk pointed out presently this is a proposed nine member commission. Nominations include the following: Paul Vandergrift, Ted Hyman, John Kinney, Jr., Tom Lindley, William Knight, Joan Barron, Karen Garr, John Cameron, Allen R. Blatecky, Noel Allen, David L. Miller, Dr. Donell H. Lewis, and Wayne Hurder. Nominations have not been closed.

Mr. Jordan indicated it is the intent of the Law and Finance Committee to make a recommendation to combine the Telecommunications Commission and the Access Commission and increase it to 15 members. He stated this item is being held in Committee to get input from the Cable Administrator. Mr. Jordan moved that the City Council voice its intent to combine the two cable-related commissions and enlarge the membership to 15 and go ahead and appoint the 13 persons who have been nominated. His motion was seconded by Mr. Keller.

Ms. Babb indicated she would support the motion based on the fact that nominees we have presently are people she feels will be exceptional on this committee. She indicated she would hate to have to chose among the people and she feels that all of the nominees thus far would be a good core group to work with. Mr. Walters indicated he has no strong objections, he just hates to have anything sprung on him at the last minute. Mr. Edwards pointed out this was discussed at the last meeting with Mr. Jordan explaining the size of the committee is not in question, that the Law and Finance Committee is ready to make the recommendation that the two commissions be combined into one and have a membership of 15. He indicated it is the duties of the Commission that the committee would like to have input from the Cable Administrator. Mr. Keller pointed out it was the unanimous recommendation of the Law and Finance Committee to combine these two commissions. He indicated if he feels that it is unwieldy to have two commissions, that the one commission could have a subcommittee to look at the access question. He indicated it was just held in the Law and Finance Committee to discuss some of the duties with the Cable Administrator. Discussion took place on the intent of the committee, discussion that has taken place in the committee and the need to get the Telecommunication Commission set up and started to work after which the motion as stated was put to a vote which passed with all members voting in the affirmative except Mr. Walters who voted in the negative. The Mayor ruled the motion adopted.

ARTS COMMISSION - APPOINTMENTS MADE

The City Clerk indicated the terms of John H. Parker, Waltye Rasulala and Patricia Caple expire December 8. All three have been nominated for reappointment and nominations have not been closed. There being no further nominations Mr. Upchurch moved that nominations to the Arts Commission be closed and the three nominees appointed by acclamation. His motion was seconded by Mr. Edwards and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

BOARD OF ADJUSTMENT - TATE LANNING APPOINTED AS REGULAR MEMBER; ALTERNATE MEMBER SLOT VACANCY - ANNOUNCED

The City Clerk indicated there is one vacancy for a regular member on the Board of Adjustment due to the resignation of Donald Bryant. Nominations include Tate Lanning and Eugene Phillips. Nominations have not been closed. Brief discussion took place. Mr. Upchurch moved that nominations be closed. His motion was seconded by Mr. Edwards and put to a vote which passed unanimously.

A ballot vote resulted in all Council Members present voting in favor of Mr. Lanning. Therefore, the Mayor announced the appointment of Tate Lanning as a regular member on the Board of Adjustment.

The Clerk announced the vacancy for an alternate member on the Board of Adjustment. Mr. Upchurch nominated Eugene Phillips. Mr. Jordan nominated Roddy Dillon. No further action was taken.

APPEARANCE COMMISSION - NOMINATION MADE

The City Clerk reported the term of Rodney L. Swink expires December 22, 1983. He is eligible for reappointment and his attendance record is good. No nominations have been made. Mr. Keller nominated Mr. Swink for reappointment. No further action was taken.

HEATING, AIR CONDITIONING, REFRIGERATION AND VENTILATION BOARD - NOMINATIONS MADE

The City Clerk reported all terms expire December 22, 1983. This is a technical board that has required representation. All current members are eligible for reappointment and their attendance record is good with the exception of the Journeyman. The current members and their classifications are as follows: Robert Cooper, Carroll Bishop, Rick Babcock - contractor, Larry Kelley - Engineer, and Wayne Hicks - Journeyman. No nominations have been made. Mr. Edwards nominated Mr. Cooper and Mr. Babcock. Mr. Upchurch nominated Mr. Kelley. Mayor York nominated Mr. Bishop and Mr. Hicks. The City Clerk was asked to determine if these people would like to be reappointed.

REPORT AND RECOMMENDATION OF THE REAL ESTATE COMMITTEE

COMMUNITY DEVELOPMENT - FAIR MARKET ACQUISITION VALUES - ESTABLISHED

Mr. Walters presented the following list of fair market acquisition values based on two acquisition appraisal reports and a review appraisal report. On behalf of the Real Estate Committee he moved that these values be established as outlined. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. The values were as follows:

Parcel	Values
313 East Lenoir Street A0018-0022	$ 7,400.00
315 East Lenoir Street A0018-0022	7,200.00
317 East Lenoir Street A0018-0022	7,700.00
524 South Bloodworth Street A0018-0021	13,700.00
526 South Bloodworth Street A0018-0021	17,700.00
528 South Bloodworth Street A0018-0021	13,700.00
530 South Bloodworth Street A0018-0021	13,700.00
532 South Bloodworth Street A0018-0021	13,500.00
225 South Bloodworth Street A044-0003	3,000.00
417 Alston Street B0064-0014	6,100.00

710 East Davie Street B060-0013	8,400.00
Patterson Lane B0057-0007	500.00
518 East Davie Street B0057-0008 and -0009	12,000.00
410 East Martin Street A0043-0015	1,200.00

COMMUNITY DEVELOPMENT - CONDEMNATION OF PROPERTY - APPROVED

Mr. Walters reported the Real Estate Committee recommends approval of the following parcel to be condemned through eminent domain to clear title as advised by the CDBG attorney. The value was established by the City Council on June 21, 1983. The property is 323 East Worth Street (B0123-0019) valued at $3,500. On behalf of the committee Mr. Walters moved the recommendation be upheld. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

COMMUNITY DEVELOPMENT - FAIR MARKET VALUE - ESTABLISHED

Mr. Walters indicated this item relates to 227 New Bern Avenue pointing out the City had an appraisal and the property owner had an appraisal. He indicated the value approved by the Council on August 2, 1983, was $132,000. The appraisal acquired by the property owner was $3,400 higher. He stated the Real Estate Committee recommends that the City Council split the difference in the appraisal and approve a modification of the fair market value based upon negotiation with the owners' representative with the value being $133,700. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE DOWNTOWN COMMITTEE

CIVIC CENTER RENOVATION - ARCHITECT AUTHORIZED TO PROCEED

Mayor York indicated the Downtown Committee recommends that the architect, Haskins and Rice, be authorized to go to final design to add 24 toilet fixtures and 3,900 square feet of storage space at the Civic Center with the source of funds being Civic Center bonds - 40-2-1510-0100. City Manager Zachary, utilizing a schematic design available at the meeting, pointed out where the storage pods and the additional toilet facilities would go. He indicated the City Council had approved the concept of these renovations along with other renovations sometime back but it was put on hold until the proper time. He stated because of bookings at the Civic Center it is felt we need to go ahead with the additional toilet facilities and storage space. On behalf of the Committee Mr. Edwards moved the recommendation be upheld. His motion was seconded by Mr. Walters and put to a roll call vote which resulted in all members voting in the affirmative.

CIVIC CENTER PLAZA DESIGN - APPROVED IN CONCEPT

Mayor York indicated the Downtown Committee recommends that the Council approve in concept the design for the Civic Center Plaza as presented by Lewis Clarke. City Manager Zachary pointed out this is a design of what will be the top of a parking deck and presented the schematic design. Mr. Walters moved that the Council approve in concept the design of the plaza area over the parking facility. His motion was seconded by Mr. Edwards and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE SPECIAL SIGN COMMITTEE

SIGN ORDINANCE - ALTERNATIVE B - APPROVED AS AMENDED; ON-PREMISES REGULATIONS REFERRED TO ADMINISTRATION

Mayor York indicated the Special Sign Committee recommends adoption of Alternative B with the following amendments:

Section 10-2066.1.

(4) c. Corner Lots. No part of an outdoor advertising sign shall be located within a triangular area formed by the street right-of-way lines and a line connecting them at points fifty (50) feet from the right-of-way intersection.

d. Spacing of Signs. No part of any outdoor advertising sign shall be located less than one thousand (1000) feet from any part of another outdoor advertising sign when located within either of two (2) two hundred (200) foot corridors along each side of a roadway. The two corridors shall be delineated by connecting perpendicular measurements from all points along the road rights-of-way. No part of any permitted outdoor advertising sign which is located outside of the two hundred (200) foot corridor areas may be located within a one thousand (1000) foot radius of any other outdoor advertising sign.

The Committee further recommends referring to Administration the on-premises regulations in the Sign Ordinance with the direction to study, review, and bring back recommendations and to bring the existing "on-premises" regulations into conformance with the "off-premises" regulations. Mr. Keller moved the recommendation as read by the Mayor be upheld. His motion was seconded by Mr. Upchurch.

Mr. Walters indicated in most respects he fully agrees with Alternative B and explained the highlights of Alternative B. He pointed out, however, he feels if we have an ordinance that will restrict the size of billboards to 150 square feet, that will in essence be almost a total ban on billboards. As he understands less than 5% of the present billboards would be conforming under this proposal. He stated in his opinion, that will open the City of Raleigh up for legal action but pointed out as he understands it the legal action would not be forthcoming until the end of the amortization period and then he feels the ordinance will be tied up in court and everything as it relates to billboards will be the same for 15 or so years. He stated with reasonable changes such as limiting billboards to roadways that have four or more lanes and the size to no more than 300 square feet he feels that we will alleviate the possibility of a legal challenge. Therefore, he put this recommendation into the form of a motion. However, it did not receive a second. The motion as stated was put to a vote which resulted in all members voting in the affirmative except Mr. Walters who voted in the negative. The Mayor ruled the motion adopted. See Ordinance 210 TC 198.

Mr. Walters indicated he felt that this action will be putting a very viable business out of business and he hopes that this action will be changed at a later date. Mayor York indicated he does not feel that Alternative B will put anyone out of business.

ORDINANCE NO. (1983) 210 TC 198

AN ORDINANCE REGULATING THE PLACEMENT, AREA, AND HEIGHT OF OUTDOOR ADVERTISING SIGNS.

WHEREAS, the City of Raleigh on 2 January 1979 enacted a sign ordinance, Ordinance No. (1979) 982 TC 96, which: allowed industry standard six hundred and seventy two square foot size outdoor advertising signs, permitted outdoor advertising signs to locate within zoning districts and adjacent zoning districts which allow residential dwelling units, and grandfathered nonconforming outdoor advertising signs; and

WHEREAS, since the passage of Ordinance No. (1979) 982 TC 96, there has been a proliferation in the number of outdoor advertising signs throughout the zoning jurisdiction of the City of Raleigh; and

WHEREAS, there were approximately two hundred thirty two outdoor advertising signs in the Raleigh zoning jurisdiction in July, 1982; and

WHEREAS, between July 1982 and July 1983 over one hundred permits for outdoor signs were issued by the Raleigh Permits Office; and

WHEREAS, the number of outdoor advertising signs and the amount of outdoor advertising signage has adversely affected residential and nonresidential property values and has made it more difficult to attract new businesses and industry; and

WHEREAS, the number of outdoor advertising signs and the amount of outdoor signage has adversely affected the appearance of the community; and

WHEREAS, the City of Raleigh is empowered by N.C.G..S. 160A-381 and N.C.G.S. 160A-382 to regulate and restrict the size, location, construction, reconstruction, alteration, repair and use of signs; and

WHEREAS, enactment of the regulations hereinafter set out will reduce the number of outdoor advertising signs and the amount of outdoor signage and it will enhance property values, traffic safety, and community appearance of the capital City; and

WHEREAS, six feet by twelve feet poster panels are a national medium for outdoor advertising with approximately one hundred thousand of these poster panels available in over one hundred cities nationwide; and

WHEREAS, Carolina Poster Company has over sixty-four six feet by twelve feet poster panels in Raleigh-Durham and over four hundred of these poster panels in North and South Carolina; and

WHEREAS, the Naegele Outdoor Advertising Company uses six feet by twelve feet poster panels in Raleigh, North Carolina, Jacksonville, Florida and Minneapolis and St. Paul, Minnesota; and

WHEREAS, the Summey Sign & Outdoor Advertising Company of Black Mountain, North Carolina has approximately fifty four six by twelve feet poster panels in Asheville and Hendersonville; and the Schloss Outdoor Advertising Company has approximately twenty-five six by twelve feet poster panels in Charlotte, North Carolina; and

WHEREAS, the 3M National Advertising Company has eighty six feet by twelve feet poster panels in Charleston, South Carolina; and

WHEREAS, six feet by twelve feet poster panels are used by national advertisers such as Coca-Cola, Orkin, Texaco, United States Army, and the Salem cigarettes; and

WHEREAS, replacing the existing one thousand foot linear spacing standard with a one thousand foot radial standard will disperse the present concentration of outdoor advertising signs; and

WHEREAS, the City of Raleigh within the last five years has enacted transitional yard standards, tree planting requirements in both off-street parking areas and along thoroughfare yards, and on-premise sign regulations as part of its concerted city-wide effort to protect and enhance the aesthetic quality of the Capital City and its environs; and

WHEREAS, in October 1982 the Raleigh City Council in Work Session discussed ten city-wide community appearance projects, one of these projects discussed was the enactment of more stringent outdoor advertising sign regulations; and

WHEREAS, amortization of nonconforming outdoor advertising signs, in contrast to grandfathering these nonconformities, will eliminate the excessive number and amount of outdoor advertising signs and signage; and

WHEREAS, approximately one hundred and forty outdoor advertising signs in the Raleigh zoning jurisdiction or nearly 41.7 percent of the total number of outdoor advertising signs are located adjacent to highways on the National System of Interstate Defense Highways and the Federal-aid Primary Highway System; and

WHEREAS, North Carolina General Statutes 136-131.1 prohibits the regulatory amortization of outdoor advertising signs adjacent to highways on the National System of Interstate Defense Highways and the Federal-aid Primary Highway System and that the gradual attrition of these outdoor advertising signs provides suppliers and consumers of outdoor advertising an abundant reservoir of locations within the Raleigh market.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF RALEIGH, NORTH CAROLINA that:

Section 1. Section 10-2066 et seq. of the Raleigh City Code is hereby repealed, rewritten, and reenacted to read as follows:

"Sec. 10-2066. Off-premise signage (outdoor advertising signs).

Purpose: For the purpose of regulating excess signage, encouraging the positive economic development of the City, promoting the safety of the traveling public, protecting existing property values in both residential and non-residential areas, preventing the overcrowding of land, promoting a positive community appearance as part of a concerted city-wide effort to protect and enhance the aesthetics of the Capital City for the enjoyment of all citizens of North Carolina, outdoor advertising signs are herein regulated.

The regulations are designed to prevent their overconcentration, improper placement, and excessive height, bulk, number, and area. It is recognized that, unlike on-premise identification signs which are in actuality a part of a business outdoor advertising is a separate and distinct use of the public thoroughfare. With a view to this distinction, outdoor advertising signs are regulated differently from on-premise signs. It is intended that outdoor advertising signs be located away from residential areas, and that such signs be regulated to protect the character of the area wherein outdoor advertising signs are located, and to conserve property values in these areas.

Sec. 10-2066.1. Design regulations.

All outdoor advertising signs shall be consistent with all definitions and shall comply with all standards and regulations of this code. Except for ordinary maintenance, poster panel replacements, copy changes, or repair not involving structural, material, or electrical changes, no outdoor advertising signs, or part thereof, shall be erected, altered, constructed, changed, converted, re-erected, additionally illuminated, reduced in size, enlarged, or moved unless the entire outdoor advertising sign and structure are brought into conformity with this code.

(1) Area of outdoor advertising signs. No outdoor advertising sign facing streets with four or more traffic lanes may exceed one hundred and fifty square feet; outdoor advertising signs facing streets with fewer than four traffic lanes may not exceed seventy-five (75) square feet. The sign area is measured by finding the area of the minimum imaginary rectangle or square of vertical and horizontal lines which fully enclose all extremities of the sign, excluding supports, the base or apron unless such copy, message, announcement or, decoration appears on the base or apron. The allowable sign area of signs with equal size and shape for both double-faced (back-to-back) and V-type signs is measured by computing the area of only one side of the sign. Both sides of a double-faced or V-type sign shall be of equal size. The sign area of signs with three (3) or more sides (multiple-side signs) containing copy message, decoration, or announcement visible from a street highway or expressway is measured as the sum of the area of any two (2) adjacent sides.

(2) Height. No outdoor advertising sign or part thereof, including base or apron; supports, supporting structures; and trim, may exceed thirty (30) feet in height.

(3) Setback Requirements. Setback and yard requirements contained in this chapter are not applicable to outdoor advertising signs.

(4) Construction Standards.

a. Compliance with building codes. All signs shall comply with the appropriate detailed provisions of the North Carolina and City building codes, the National Electric Code and other provisions of the Code of the City of Raleigh.

b. Clearance from high voltage power lines. Outdoor advertising signs shall be located in such a way that they maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with the National Electric Code provided that in no case shall an outdoor advertising sign be erected closer than ten (10) feet horizontally or vertically from any conductor or public utility guy wire.

c. Corner lots. No part of an outdoor advertising sign may be located within a triangular area formed by the street right-of-way lines and a line connecting them at points fifty (50) feet from the right-of-way intersection.

d. Spacing of signs. No part of any outdoor advertising sign shall be located less than one thousand (1,000) feet from any part of another outdoor advertising sign when located within either of two (2) two hundred (200) foot corridors along each side of a roadway. The two corridors shall be delineated by connecting perpendicular measurements from all points along the road rights-of-way. No part of any permitted outdoor advertising sign which is located outside of the two hundred (200) foot corridor areas may be located within a one thousand (1,000) foot radius of any other outdoor advertising sign.

Sec. 10-2066.2. Specific outdoor advertising sign regulations.

Outdoor advertising signs and structures which comply with the provisions of this code are permitted in any industrial zoning district provided the specific sign location is four hundred (400) feet or more from any zoning district which allows any dwelling unit.

Sec. 10-2066.3. Prohibited signs.

The provisions contained in Section 10-2065.5 are expressly made applicable to all outdoor advertising structures.

Sec. 10-2066.4. Nonconforming off-premise signs (amortization).

All nonconforming outdoor advertising signs shall be discontinued or made conforming (amortized) within five and one-half (5 1/2) years from the effective date of this ordinance ( ), unless explicitly prohibited by State Statute. All outdoor advertising signs which are made nonconforming by an amendment to this chapter, or to the official zoning map, or extension of the areas in which this ordinance is applicable shall be discontinued or made conforming (amortized) within five and one-half (51/2) years after the date of such amendment or extension, unless explicitly prohibited by State Statute.".

Section 2. Section 10-2044(b) of the Raleigh City Code which allows outdoor advertising sign in neighborhood business zoning districts is repealed in its entirety.

Section 3. Section 10-2044(2) of the Raleigh City Code relating to neighborhood business districts is hereby repealed, rewritten, and reenacted to read as follows:

"(2) Prohibited uses. The following uses are prohibited in a neighborhood business district:

a. Any use prohibited in a shopping center district.".

Section 4. Section 10-2045(2)h. of the Raleigh City Code relating to prohibited uses in the business district is hereby repealed, rewritten, and reenacted to read as follows:

"h. Billboards and outdoor advertising structures and signs.".

Section 5. Section one of Ordinance No. (1983) 153 TC 190 enacted July 14, 1983 and is to be codified as Raleigh City Code Section 10-2045.1(1)(b) is hereby deleted in its entirety and subsections (c) through (k) are relettered 10-2045.1.(1)(b) through 10-2045.1(1)(j), respectively.

Section 6. Section one of Ordinance No. (1983) 153 TC 190 enacted July 19, 1983 and is to be codified as Raleigh City Code Section 10-2045.1(1)(k) is relettered 10-2045.1(1)(j) and the references in subsection (3) therein to pre-existing outdoor storage use described in 10-2045.1(1)(i) and to pre-existing outdoor storage use of vehicles, boats, mobile homes, etc. described in 10-2045.1(1)(j) are hereby changed to 10-2045.1(1)(h) and 10-2045.1(1)(i) respectively.

Section 7. Section one of Ordinance No. (1983) 153 TC 190 enacted July 19, 1983 and is to be codified as Raleigh City Code Section 10-2045.1(3)(c) is hereby amended to change the reference therein from 10-2045.1(1)(k) to 10-2045.1(1)(j).

Section 8. Section one of Ordinance No. (1983) 153 TC 190 enacted July 19, 1983 and is to be codified as Raleigh City Code Section 10-2045.1(3)(d)2 is hereby amended to delete the following punctuation and words therefrom ", except billboard,".

Section 9. Section one of Ordinance No. (1983) 153 TC 190 enacted July 19, 1983 and is to be codified as Raleigh City Code Section 10-2045.1(4) is hereby amended to add a new subsection, (g), said new subsection is to follow 10-2045.1(4)(f) and shall read as follows:

"(g) billboards and outdoor advertising structures and signs.".

Section 10. Section one of Ordinance No. (1983) 153 TC 190 enacted July 19, 1983 and is to be codified as Raleigh City Code Section 10-2045.1(5)(a)(3) is hereby amended to change the references therein from 10-2045.1(1)(i),(j), and (k) to 10-2045.1(1)(h),(i), and (j) respectively.

Section 11. Section one of Ordinance No. (1983) 153 TC 190 enacted July 19, 1983 and is to be codified as Raleigh City Code Section 10-2045.1(5)(a)(10) is hereby amended to change the references therein from 10-2045.1(1)(i) and (j) to 10-2045.1(1)(h) and (i) respectively.

Section 12. Section one of Ordinance No. (1983) 153 TC 190 enacted July 19, 1983 and is to be codified as Raleigh City Code Section 10-2045.3 is hereby amended: to replace the semicolon in subsection 10-2045.3(a) with a period, to delete the word "and" following that period, and to repeal 10-2045.3(b) in its entirety.

Section 13. The first sentence of Section two of Ordinance no. (1983) 153 TC 190 enacted July 1983 and is to be codified as Raleigh City Code Section 10-2002 protective yard is hereby amended: to add the word "or" after the word "storage," to change the comma following the words "loading areas" to a period, and to delete the last three words from that sentence which read as follows "or off-premise signs."

Section 14. The punctuation and words ", except billboards," appearing twice in Section five of Ordinance No. (1983) 153 TC 190 enacted July 19, 1983, 153 TC 190 enacted July 19, 1983, to be codified as Raleigh City Code Section 10-2064(a)(8), are deleted.

Section 15. Sections seven and eight of Ordinance No. (1983) 153 TC 190 which are to be codified as Raleigh City Code Sections 10-2066(3)d and 10-2066.1(3)e are repealed in their entirety.

Section 16. Section 10-2046(b)(5) of the Raleigh City Code relating to prohibited signs in industrial zoning districts is amended to add prior to the period the following punctuation and words ", and signs which do not conform to either 10-2065 et seq. or 10-2066 et seq.".

Section 17. Section 10-2064(a)(5) of the Raleigh City Code relating to height, limitations in industrial zoning districts is hereby amended to add at the beginning of said section the following: "except billboards,".

Section 18. Section 10-2064(b)(5) of the Raleigh City Code relating to height limitations of signs is hereby amended to change the code references therein from 10-2065.1(a) to 10-2065.1(1) and from 10-2065.1(b) to 10-2066.1(2).

Section 19. The definitions of on-premise sign and off-premise sign contained in Raleigh City Code Section 10-2002 are hereby amended to add after the word "commodity" the following ", attraction," and to add after the word "manufactured" the following ", existing,".

Section 20. All ordinances and clauses in conflict herewith are hereby repealed to the extent of said conflict.

Section 21. This ordinance has been adopted following a duly advertised joint public hearing of the Raleigh City Council and the City Planning Commission following a recommendation of the Planning Commission.

Section 22. If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of the ordinance which can be given separate effect and to this end the provisions of this ordinance are declared to be severable.

Section 23. This ordinance shall be enforced as provided in N.C.G.S. 160A-175.

Section 24. This ordinance shall become effective five (5) days following its adoption.

ADOPTED: 10/18/83

EFFECTIVE: 10/23/83

REPORT AND RECOMMENDATION FROM THE PARKS AND RECREATION ADVISORY BOARD

OPTIMIST PARK - WINTER SWIMMING PASSES - AUTHORIZED

Robert Monroe, Vice Chairman of the Parks and Recreation Advisory Board, was at the meeting indicating the Board recommends that the Council adopt a winter season pass for use at Optimist pool. He indicated this item came to the Parks and Recreation Advisory Board from people who use the facilities quite often and would like to have the opportunity to purchase a season pass. He indicated in studying this item there were three objectives for adopting rates for season passes, one would be to increase the use by a discounted pass; make costs more reasonable for the heavy users; increase revenue. Mr. Monroe, utilizing a chart available at the meeting, went through a summer season pass rate, the number of times a person would have to swim, etc. He presented the same information on the proposed winter rates and proposed the winter season pass which would be for a 200 day season as opposed to the 90 day summer season and the prices of $70 per person; $150 for a family of three plus $40 for each extra family member over three. Mr. Edwards questioned where the other days are pointing out this only comes to a 290 day season with it being pointed out that time is involved in putting up and taking down the bubble. Mr. Keller indicated there was a lot of discussion and conscientious deliberation on this item at the Parks and Recreation Advisory Board, therefore, he would move approval of the winter season pass for Optimist pool as recommended by the Parks and Recreation Department. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

Ms. Babb indicated at the last meeting she asked Administration to check into whether the Optimist pool is to be closed during the last part of October indicating she had had several people voice concern. Mr. Evans indicated the pool is closed to change over from the summer to the winter season, install the bubble, the painting, etc. He indicated we are a few days behind schedule but the regular swimmers are utilizing the Ridge Road pool. He pointed out the Parks and Recreation Department put a cover over it at night to keep the water temperature up. Ms. Babb indicated as she understands what is being said the City is doing the best it can with the situation.

REPORT AND RECOMMENDATION OF THE CIVIC CENTER AUTHORITY

CAROLINA REGIONAL THEATRE - REQUEST FOR LOAN - REFERRED TO DOWNTOWN COMMITTEE

Andy Dembicks, representing the Civic Center Authority, indicated the Authority had reviewed the operating plan and budget for the Carolina Regional Theatre and they unanimously endorsed the plan. He indicated the Carolina Regional Theatre representatives are at the meeting today to ask for a grant of $75,000 to finance the cash flow of the Carolina Regional Theatre. He indicated this is not exactly a grant as the money will be paid back in full. Deanne Jones, representing the Carolina Regional Theatre, indicated they have an operating budget of $232,000 for the first year. She explained they had commitments from the North Carolina Department of Public Instruction and have proposed grants totaling some $51,000. She indicated for the last two years they have received a grant from North Carolina Cultural Resources to do tours of schools throughout the State. She indicated they would continue these tours. Mayor York indicated the Carolina Regional Theatre under this proposal would be headquartered in Memorial Auditorium and he feels that is a good concept and for them to be located in the Auditorium would help strengthen the City Council's commitment to art and the Downtown area. Civic Center Director Krupa indicated Mr. Dembicks and Phil Winstead took it upon themselves to raise funds to help finance this program. Ms. Jones gave the Council some projected income levels based on certain occupancy levels of the shows at Memorial Auditorium. She indicated the Auditorium is vacant during most of the summer and this would help provide income to the Auditorium.

Mayor York pointed out as a general statement he would certainly be supportive of this concept but he feels he would be more comfortable if we reviewed it in committee. Mr. Edwards moved that the request for a grant of $75,000 from Carolina Regional Theatre be referred to the Downtown Committee. His motion was seconded by Ms. Babb. In seconding the motion Ms. Babb indicated she strongly supports this concept as we have been talking about trying to make downtown a viable art center and she feels this would be a good element.

Clarence E. Lightner, Chairman of the Civic Center Authority, spoke in support of the appropriation. He indicated he feels this would be a good element to have in the downtown area and the Civic Center Authority is unanimously behind the proposal. He indicated the monies will be repaid. Mayor York questioned if this is an annual appropriation or a one time appropriation with Civic Center Director Krupa explaining they would like to look at it as a three year situation. He stated that would give them time to grow and improve their cash flow. He explained that they would be asking for the grant on a one year basis and then at the close of the season the monies would be paid back and then they would ask for it at the beginning of the next season but hopefully by the end of the third year the grant would not be needed again. Mayor York indicated this would be on the same concept as a seasonal working capital loan. The motion as stated was put to a vote and passed unanimously. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE CITY MANAGER

BID REQUEST 83-21 - WORD PROCESSING SYSTEM - BID AWARDED TO DICTAPHONE CORPORATION

During the last Council Meeting action on bids for word processing dictation equipment was postponed because a representative of Lanier Business Products, Inc. requested "further study and evaluation" because he questioned the ability of the low bidder to meet all specifications. Administration was directed to give this bid proposal additional analysis. Council Members received in their Agenda packet a memorandum from the Assistant City Manager for Planning and Budgeting relative to additional analysis that has been done. Administration recommends that the low bid of $21,277.50 from the Dictaphone Corporation be awarded. Mr. Upchurch moved Administration's recommendation be upheld. His motion was seconded by Mr. Walters and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

PERSONNEL - ADDITIONAL POSITION IN PUBLIC UTILITIES AND FINANCE DEPARTMENT - APPROVED - FUNDS APPROPRIATED

Public Utilities. This is a request for a Civil Engineer I. A copy of a memorandum from the Public Utilities Director justifying this position was included with Council Members' Agenda packets.

Recommendation: Approval is recommended. If approved, a transfer of $12,969.52 from the Public Utilities Contingency Account (06-2-7100-0002) will be necessary to cover the salary cost for the remainder of the fiscal year.

Finance Department. This is a request for an additional Office Assistant III in the Accounting Division. A copy of a memorandum from the Finance Director justifying this position was included with Council Members' Agenda packets.

Recommendation: Approval is recommended. If approved, a transfer of $7,500 from Council Contingency will be needed.

City Manager Zachary briefly explained the need for these two additional persons. Mr. Edwards moved that the recommendations as outlined be upheld. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 207 TF 7.

ATLANTIC AVENUE STATUS REPORT - INFORMATION RECEIVED

Assistant City Manager Benton gave a brief status report on the Atlantic Avenue project pointing out we are not making progress as fast as we had hoped to do. He stated we are going to advertise for bids on October 23, and the results will be reported to the Council at the second meeting in November as far as it relates to the Wake Forest Road widening project. Mr. Benton indicated with reference to the Atlantic Avenue project two of the property owners have committed the land; however, the property owner, represented by Attorney Tom Adams, has not conveyed the right-of-way. He stated if we can get that property conveyed shortly is hoped that this section could be brought to the November 15 meeting for awarding of a bid. Mr. Benton indicated the section from Winton Road to Millbrook Road is still under review. He stated we have one set of property owners that we are trying to work on with the alignment. He stated we have not been able to move as fast as we had hoped to on this section of the Atlantic Avenue improvements. He explained the Millbrook Road is an at-grade crossing and tied into Atlantic Avenue and we are pretty close to having all of the right-of-way. However, it appears at this point we will have to extend a sewer line because of the elimination of a septic tank to one resident. He stated Administration will probably be coming back to the Council requesting adoption of a Resolution of Intent to install the sanitary sewer line. He indicated the cost of this section is to be borne by North Boulevard, however, the City has to negotiate for one of the properties. He stated as far as the Spring Forest Road section is concerned, North Boulevard Industrial Park was obligated to provide financial commitments of some $325,000. He stated we have received most of the financial commitments explaining we are short but those commitments should be forthcoming soon. He stated it is hoped to get all of the railroad clearances within the next week. In response to questioning, Mr. Benton indicated there is a possibility that we will be handling this section by change order on an existing contract. He explained at this point we are running some 30 days behind what we had anticipated in getting this project underway. The information was received.

BID REQUEST 83-31 - COMMUNICATIONS CONSOLES - BID AWARDED TO COM CENTER CORPORATION

Pursuant to advertisement as required by law bids were received and publicly opened in the office of the Purchasing Agent on October 17, 1983 for communications consoles with results as follows: Com Center Corporation - $41,345; Motorola C & E, Inc. - $46,488; Modular Communications Systems - $54,352. Mr. Walters moved the low bid submitted by Com Center Corporation be awarded. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

STREET CLOSING - LAUREL HILL SUBDIVISION - RESOLUTION ADOPTED

The City Council has been petitioned to close an unnamed and unimproved right-of-way located on the east side of Glen Laurel Drive.

No negative comments have been received from the reviewing agencies concerning the closing of this right-of-way. Therefore, the staff recommends that the City Council adopt a Resolution of Intent to close the subject right-of-way and set a date for a public hearing on this matter. Recommendation: Approval is recommended for a public hearing. Mr. Walters moved approval of the recommendation with the understanding the public hearing would be November 15, 1983. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

Resolution No. (1983) 369

A RESOLUTION OF INTENT TO CONSIDER CLOSING AN UNNAMED AND UNIMPROVED RIGHT-OF-WAY AS DESCRIBED HEREIN AND DIRECTING NOTICE OF PUBLIC HEARING

WHEREAS, the City Council of the City of Raleigh, North Carolina, pursuant to North Carolina General Statute 160A-299, intends to close permanently the following street right-of-way:

> Beginning at the northwest corner of Lot 32, Laurel Hills Subdivision Addition as recorded in Book of Maps 1966, Page 394, Wake County Registry; runs thence along the northern property line of Lot 32, 210 feet to a point being the northeast corner of Lot 32, runs thence North 5 degrees, 21 minutes West 60 feet to the southwest corner of Lot 31, thence along the southern line of Lot 31, 210 feet, thence South 60 feet to the point and place of Beginning, being the proposed road as shown on the recorded plat and tax map.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

Section 1. That the section of the street referred to above is intended to be closed permanently.

Section 2. That a public hearing will be held on Tuesday, December 6, 1983, in the Council Chamber, Room 315, Municipal Building, Raleigh, North Carolina, at 7:00 p.m., or as soon thereafter as the matter can be reached.

Section 3. That a copy of this resolution be mailed by certified mail to all owners of lots abutting on the above named street.

Section 4. That a copy of this resolution be published in a daily newspaper in the City of Raleigh once a week for four consecutive weeks.

Adopted: October 18, 1983

BID REQUEST - BACKHOE/LOADER - AWARD MADE TO GREGORY POOLE EQUIPMENT COMPANY AND R. W. MOORE EQUIPMENT COMPANY

The current budget for the Public Works Department's Street Division provides $35,000 for purchase of a backhoe. We took bids recently for this piece of equipment. A copy of the bid tabulation will be included with Council Members' Agenda material.

Administration took bids for either a straight purchase or with a trade-in. The bid amounts were under our expectation. Recommendation: Administration recommends approval of both the straight purchase and the alternate as named on the bid tabulation. If this is approved, the division will not make a request in the next budget for an additional backhoe. The total of both bids is within the available funds.

Brief discussion took place with Mr. Zachary indicating he feels it is good to take advantage of both the regular bid and the alternate bid, that is the backhoe loader with trade in and purchase two at this point. He stated by doing this it would eliminate the need for asking for another backhoe loader in next year's budget. Mr. Walters moved Administration's recommendation be upheld. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

The bid tabulation is as follows:

ITEM 2 - Backhoe/Loader (Straight Purchase)

1.	Gregory Poole Equipment Company	$21,894.00
2.	Senter-Sanders Tractor Corporation	22,340.00
3.	R. W. Moore Equipment Company	23,085.00
4.	Case Power and Equipment Company	32,253.04

RECOMMEND: Gregory Poole Equipment Company

ITEM 2 - ALTERNATE - Backhoe/Loader with Trade-in

1.	R. W. Moore Equipment Company	$23,085.44
	Less Trade	11,500.00
	Total	$11,585.44
2.	Senter-Sanders Tractor Corporation	$22,340.00
	Less Trade	9,000.00
	Total	$13,340.00
3.	Gregory Poole Equipment Company	$21,894.00
	Less Trade	4,000.00
	Total	$17,894.00
4.	Case Power and Equipment Company	$32,253.04
	Less Trade	9,000.00
	Total	$23,253.04

RECOMMENDATION - ITEM 2 - Gregory Poole Equipment Company
ITEM 2 - Alternate - R. W. Moore Equipment Company

SOUTH PARK REDEVELOPMENT PLAN AMENDMENT - APPROVED

In complying with City Council's directive to proceed with the Bragg Street Housing Opportunity Project, as recommended by the Private Sector Housing Committee, it is necessary that the South Park Redevelopment Plan be amended to move the boundary lines to include the housing site.

The South Park boundary in question currently ends on the west side of the 1200 Block of Garner Road. (A copy of the map indicating the boundaries will be included in the Council Members' Agenda packets.) Recommendation: It is requested that City Council authorize amending the South Park Redevelopment Plan to extend the boundaries to the east side of the 1200 Block of Garner Road, between the 500 Block of Bragg and the 100 Block of McMakin Streets. This will include parcels listed below:

B-223-1	B-223-8-9
B-223-2	B-223-10
B-223-3	B-223-11
B-223-4	B-223-12
B-223-5	B-223-64-69
B-223-6	B-223-70-71
B-223-7A	
B-223-7	

Ms. Babb moved the recommendation be upheld. Her motion was seconded by Mr. Walters and put to a vote which passed unanimously. The Mayor moved the motion adopted.

ASBESTOS INSPECTION - ADMINISTRATION AUTHORIZED TO NEGOTIATE CONTRACT

On June 18, 1983, the Council authorized development of a Request for Proposals (RFP) to determine if asbestos is contained to any dangerous degree in any municipally owned buildings.

The following firms responded to our request for proposals:

1. F. Carter Williams, Architects
2. Bull and Kinney, Architects
3. Westbury and Associates, Architects, Inc.
4. Law Engineering Company
5. George Smart, Architects, Inc.
6. Southern Engineering Company
7. Ralph Self, Asbestos Consultant, P.E.

After evaluating the proposals in accordance with the criteria set out in the RFP, the top three firms in the order of their ranking are:

1. Ralph Self, Asbestos Consultant, P.E.
2. Westbury and Associates, Architects, Inc.
3. Southern Engineering Company

Recommendation: It is recommended that this be referred to a Council committee for review and recommendation or that it be referred back to Administration to attempt to develop a suitable agreement with Ralph Self, Asbestos Consultant, P.E.

Mr. Jordan questioned if the top three firms were all local firms with City Manager Zachary indicating he did not know. Ms. Babb moved that the matter be referred to Administration to attempt to develop a suitable agreement with Ralph Self, Asbestos Consultant, P.E. Her motion was seconded by Mr. Jordan and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

ADDENDUM

PRIVILEGE LICENSE - RADISSON PLAZA RALEIGH HOTEL - APPROVED

This is a privilege license application for the Radisson Plaza Raleigh Hotel, 420 Fayetteville Street Mall, in the name of the Manager, Robert Thomas Monica. City Code Sections 2-2032(2), (3), (5) and 12-2118(3) require City Council approval before a license may be issued for a dance hall, public club with live entertainment, classified as a Class II entertainment center. Police and Inspections Departments indicate approval and Administration concurs. Mr. Walters moved approval of the privilege license application as outlined. His motion was seconded by Mr. Upchurch and passed unanimously. The Mayor ruled the motion adopted.

TAXICAB OWNER'S PERMITS - APPROVED ON FIRST CONSIDERATION - TO BE PLACED ON NOVEMBER 3, 1983, AGENDA

The Addendum indicated applications have been received from the following to operate a taxi explaining they have been checked and meet the requirements of the City Code. Administration recommends approval with the understanding the applications will be placed on the November 3, 1983, Agenda for second and final consideration. The applications for franchise renewal are as follows:

Walter Sanders Boone, Boone Taxi Company, William Eldridge Blalock, Blue Diamond Cab Company; and James Snelling, Esquire Cab Company.

The following applications are for individual owner's permits: Norman Lee Mickens, Walter Hill, III; Charles Whitley Bobbitt and Lannis Merritt Fowler all with Blue Diamond Cab Company and Woodrow Wilson Tabb, Sr., Esquire Cab Company. Mr. Jordan moved approval as recommended. His motion was seconded by Mr. Walters and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RALEIGH/CARY/GARNER THOROUGHFARE PLAN - EASTERN BOULEVARD DELETED - STATE ASKED TO CONCUR

The Department of Transportation recommends that the City Council act to bring the Raleigh/Cary/Garner Thoroughfare Plan into conformance with the Comprehensive Plan relating to the future alignment of Eastern Boulevard extension. The City Council recently held hearings and adopted a new Comprehensive Plan for the Southeast District. That plan calls for Eastern Boulevard to follow a revised alignment from Dawson-McDowell Streets eastward to Smithfield Street; extend eastward to the east end of Smithfield Street to Boundary Street; continuing eastward along the south side of Page Street to Rock Quarry Road and then northeastward to connect with existing Eastern Boulevard and Apollo Heights.

Approval of this recommendation will be followed by approval of the Transportation Advisory Committee and subsequent approval by the Board of Transportation.

This action will remove the Eastern Boulevard alignment from the proposed Bragg Street Housing Opportunity site, now owned by the City. City Manager Zachary reported Administration recommends the Council request the State's concurrence. Mr. Upchurch moved that the Council request the State's concurrence as outlined. His motion was seconded by Ms. Babb and unanimously passed. The Mayor ruled the motion adopted.

COMMUNITY DEVELOPMENT LOAN - SIR WALTER ASSOCIATES - APPROVED

The Sir Walter Associates has approached the Community Development Department for a direct loan of $200,000 to enable the construction of 26 efficiency apartments in the now vacant tenth floor of the old Sir Walter Hotel. The apartments are to be rented to low and moderate income elderly people at an initial rent of $175 per month. City Manager Zachary explained Council Members received a memo on this subject from the Community Development Director in their Agenda packet. Administration indicates that this seems to be an inexpensive way to provide 26 housing units and approval of the proposed loan is recommended, however, it is an unusual loan and an unusually large amount and it is recognized that the Council may wish to refer this item to a committee. Mr. Jordan indicated he did not realize the tenth floor was vacant. Ms. Babb questioned if this is out of the basic rehabilitation program with it being pointed out it is. She stated as she understands it we would be rehabilitating apartments rather than detached dwellings and she feels this is very good to get housing in this area. She questioned how the rents will be regulated with Mr. Wray indicating they will be regulated by HUD. Ms. Babb moved approval of the loan as outlined. Her motion was seconded by Mr. Edwards. Mr. Wray indicated in working with Sir Walter associates on this loan we have been trying to get them to improve the facade of the building and the loan is tied to getting the facade improved. Mayor York indicated he feels that this is a good and wise expenditure and use of this money. The motion as stated was put to a vote and passed unanimously. The Mayor ruled the motion adopted.

BRIDGE DEMOLITION/REPLACEMENT - REFERRED TO THE PUBLIC WORKS COMMITTEE

City Manager Zachary indicated the last Agenda included an item relating to the Fayetteville Street Bridge over Walnut Creek and Rocky Branch as well as rehabilitation for the Yadkin Drive Bridge. He stated the item could not be considered at that meeting as the funds had not been released. Funds for the Yadkin Drive Bridge have been approved by the State Department of Transportation but the funds cannot be released at this time. Therefore, the City has negotiated with the low bidder for the necessary work for the other two bridges. The Community Development funds for these projects have been released. City Manager Zachary indicated Council Members received a copy of the Public Works Director's memo dated October 17, 1983, in which it is recommended that the bids for both Fayetteville Street projects in the amount of $108,420 be approved pointing out this would require a transfer of $4,421 in addition to the money we would be receiving. Mr. Zachary indicated the Public Works Director's memo had the bid tabulation (PW 1983-8) and would recommend that the work be awarded to Wilson Construction Company. Discussion took place with it being pointed out that the low bidder is willing to hold the bid open on the Yadkin Drive Bridge, however, Mr. Zachary indicated he did not know if this was legal. Mr. Edwards questioned why the mobilization for two bridges would be the same as it is for three bridges. This was discussed briefly after which Mr. Edwards moved that the Bridge Rehabilitation Project be referred to the Public Works Committee. His motion was seconded by Ms. Babb and passed unanimously. The Mayor ruled the motion adopted.

PUBLIC NUISANCE ABATEMENT - 2812 SYLVESTER STREET - REFERRED TO THE PUBLIC WORKS COMMITTEE

City Manager Zachary indicated several meetings ago Councilman Calloway asked Administration to look into a problem at 2808 Sylvester Drive. He indicated it has been determined that the City had a contract issued by the Inspections Division to go in to correct a drainage problem at 2808 Sylvester Drive. He indicated the contractor started the work and the spoils were placed on the property at 2812 Sylvester Drive. He stated after the contractor got into the work he found out it was a bigger job than he had anticipated, therefore, he walked off of the job. Mr. Zachary explained the Inspections Division has received bids again to abate the problem and the bids came in at over a $1,000, therefore, it is being submitted to the Council for approval. He indicated Holland and Sons had bid $2,773.32 and A. B. Boyette had bid $1,750. He indicated Administration recommends awarding the bid to A. B. Boyette to correct the nuisance. Mr. Edwards moved Administration's recommendation be upheld. His motion was seconded by Ms. Babb. Mr. Walters questioned if we are going to let the previous contractor bid again pointing out if he walked off of the job he does not feel he should be eligible for future City bids. Mr. Edwards indicated if the man walked off the job and did not receive any money then there is no problem. Discussion took place on whether the previous contractor had a performance bond with Mr. Edwards questioning if the City went back on the contractor's performance bond. This was discussed briefly after which Mr. Edwards amended his motion to request that the Public Nuisance abatement at 2812 to Sylvester Street be referred to the Public Works Committee. His amended motion was seconded by Ms. Babb and passed unanimously. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE CITY ATTORNEY

WOMEN'S CONFERENCE - APPROPRIATION USAGE - AUTHORIZED

City Attorney McCormick indicated in July or August the City Council made a $5,000 appropriation for utilization for the Women's Conference in the hopes of getting the Phil Donahue Show to come to Raleigh. He stated he thought he had come back to the Council at a later date and informed the Council that they were not able to get the Phil Donahue Show in the Raleigh area but would like permission to utilize the $5,000 to help with the conference. Brief discussion took place and Mr. Upchurch moved approval of the grant to the Women's Conference of $5,000. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

REPORT OF MAYOR AND COUNCIL MEMBERS

FALLS LAKE - INFORMATION REFERRED TO PUBLIC WORKS COMMITTEE

Mayor York indicated there was a meeting of the State Falls Lake Steering Committee on October 7. He indicated a very special report was made by Secretary Grimsley at this meeting and the Committee generally received the report quite well. He indicated he made the comment that the City of Raleigh is doing a lot of work and hopes to continue working on this project and voiced a desire that there will be a good transition from the present Council to the incoming Council. He indicated he is not sure that this report has been distributed to the City Council but would ask that it be distributed. He stated he would refer this report to the Public Works Committee as the item is already in Committee and would ask the Public Works Committee to review and study the report. Mr. Edwards indicated the City of Raleigh Falls Lake Technical Advisory Committee met yesterday and they had received the report and are discussing it. Mayor York indicated the City of Raleigh has encouraged the State to take a leadership role and he feels the State is doing that.

WATER - REQUEST FOR ADDITIONAL ALLOCATION FOR CARY - REFERRED TO THE PUBLIC WORKS COMMITTEE

Mayor York indicated the City of Raleigh had received a request from Cary for an additional water allocation. He stated without objection, he would refer this request to the Public Works Committee. Without objection the item was so referred.

LYDIA BAPTIST EMERGENCY HOME - REFERRED TO THE LAW AND FINANCE COMMITTEE

Mr. Jordan indicated he would like to refer to Law and Finance Committee the Lydia Baptist Emergency Home on Person Street. He indicated he had been contacted by Reverend Whitley about the problems they are having. Without objection the item was referred to the Law and Finance Committee.

ROANOKE PARK - AREA PROBLEMS - REFERRED TO ADMINISTRATION

Mr. Walters indicated he had received some calls relative to the conditions in the Roanoke Park area and surrounding streets. He indicated he had driven through the area and pointed out trucks are parked on the streets, cars are stored on the street - some that are unable to be moved, many vehicles are parking with two wheels in the street and two wheels on the sidewalk. Grass is growing up through the sidewalk, the City right-of-way is overgrown with weeds and grass and in many cases there are bushes on the City right-of-way that are blocking vision. He asked that Administration look at the whole area. Without objection the item was referred to Administration.

REQUESTS AND PETITIONS OF CITIZENS - CULTURAL CLUB - ADDED

Ms. Babb asked, as a point of personal privilege, that John Blessard, representing the Cultural Club on Morgan Street, be allowed to speak at the meeting tonight. She indicated Mr. Blessard had been working with the Inspections Department getting the building on Morgan Street ready for opening. However, the City requires a handicapped ramp and they would like to request permission to encroach on City right-of-way in order to install the handicapped ramp. Without objection it was agreed to add Mr. Blessard to the night section of the Agenda.

HILLSBOROUGH STREET - REQUEST RELATING TO TWO WAY TRAFFIC - INFORMATION RECEIVED

Mr. Upchurch indicated he had hand delivered the request to make Hillsborough Street two-way to the State Department of Transportation. He indicated he felt the report was well received and he hopes we can get a response soon.

REPORT OF CITY CLERK AND TREASURER

PRELIMINARY ASSESSMENT ROLLS 194 AND 1001 - RESOLUTIONS ADOPTED

The City Clerk presented sidewalk Assessment Roll 194 - South Saunders Street and Sewer Assessment Roll - Leadmine Creek recommending adoption of the rolls which would set a public hearing to consider confirmation of costs at the November 15, 1983 Council Meeting. Mr. Edwards moved adoption of the preliminary assessment rolls as presented. His motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1983) 371

RESOLUTION DECLARING COST AND PRELIMINARY ASSESSMENT ROLL

SIDEWALK ASSESSMENT ROLL NO. 194

WHEREAS, by Resolution No. 1981-689 adopted by the City Council on 9-15-81 the local improvements hereinafter referred to were authorized and directed pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, and Section 105 of Chapter 1184, Session Laws of North Carolina of 1949, as amended, as applicable; and

WHEREAS, the local improvements have been completed and it is the duty of the City Council to make an assessment of the cost thereof against the property assessable therefore;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the local improvements described as follows have been completed:

Installation of approximately 10,981 lineal feet of sidewalk on South Saunders Street, both sides, beginning at a point approximately 275 feet north of Howard Street and extending to a point approximately 200 feet south of Fenwick Drive.

Section 2. That the cost of the above described improvements, exclusive of so much of the total cost as was incurred at street intersections, has been computed and determined and is hereby declared to be $25,979.28.

Section 3. That the City Council hereby makes an assessment of the cost of the local improvements herein referred to, pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, against the lots and parcels of land abutting directly on the improvement. The basis for the assessment is front footage.

OWNERS ASSESSED	LOT NO.	PROPERTY I.D. NO.	SUBDIVISION LOT NO.	LOCATION OF IMPROVEMENT	AMOUNT ASSESSED
Taylor Oil Company	1	0074660		S. Saunders	$804.79
Harold & Anna Bagwell	2	0054202	1-2	1701 S. Saunders St.	449.08
Willis A. Wilson & et al.	3	0078573	3	1719 S. Saunders St.	419.75
Marion C. Penny	4	0052451	4-5	1721 S. Saunders St.	703.43
Marion C. Penny	5	0054203	6	South Saunders St.	350.00
Marion C. Penny	6	0054204	7	South Saunders St.	350.00
Marion C. Penny	7	0054205	8	South Saunders St.	481.95
Marion C. Penny	8	0054207	10	1721 S. Saunders St.	420.31
Marion C. Penny	9	0022270	11	1721 S. Saunders St.	349.86
Fred A. Stone	10	0068051	12	1813 S. Saunders St.	700.00
John W. Leagan	11	0041173		2401 S. Saunders St.	612.50
Capital Coca-Cola Bottling Co.	12	0011398		S. Saunders Street	175.00
E. L. Martin	13	0044352		S. Saunders Street	612.50
E. L. Martin	14	0012141		S. Saunders Street	1,034.70
Larry D. Holmes	15	0070582		2541 S. Saunders St.	219.10
Alfred Williams, III	16	0077079		2601 S. Saunders St.	335.09
W. D. Parker	17	0053000		S. Saunders Street	367.78
Charles & Brenda Atkins	18	0002488		2621 S. Saunders St.	207.83
Bessie & Irvin Holmes	19	0032532-3		2635 S. Saunders St.	839.72
Emma B. Cothran	20	0015030		S. Saunders Street	420.59
Trustees of Carolina Pines Baptist Church	21	0090127 0090129		2655 S. Saunders St.	1,277.92
Sav-a-Ton, Inc.	22	0062497		S. Saunders Street	447.26
Howard F. Cannon	23	0011297		2721 S. Saunders St.	197.75
J. R. & Jean Price	24	0057105		2725 S. Saunders St.	350.00
Ira W. Day	25	0017295		S. Saunders Street	962.75

Raleigh Hatcheries, Inc.	26	0058299		S. Saunders Street	854.95
Raleigh Lions Clinic for The Blind, Inc.	27	0102685		315 Hubert St.	311.50
B & B Apts., Inc.	28	0009688		1722 S. Saunders St.	753.13
Rockwell Manufacturing Company	29	0060771		1900 S. Saunders St.	2,495.53
N. C. Equipment Company	30	0051220		S. Saunders Street	1,023.19
Rhodes Contractors Co. of Raleigh, Inc.	31	0032575		2500 S. Saunders St.	175.00
Williams B. Porter	32	0056576		2502 S. Saunders St.	175.00
Grace F. Sealey	33	0063021		2504-2508 S. Saunders St.	676.72
Fast Fare Inc.	34	0111747		2516 S. Saunders St.	566.16
Larry D. Holmes	35	0102804		2600 S. Saunders St.	285.60
Service Distributing Co., Inc.	36	0125862		2604 S. Saunders St.	787.50
W. Arnold Smith & Etal.	37	0125863		2608 S. Saunders St.	378.00
W. Arnold Smith & Etal.	38	0065645		2626-2630 S. Saunders St.	872.69
Walter M. Shelton	39	0063735		2642 S. Saunders St.	525.63
Jesse & Rheabel Margulies	40	0043972		2654 S. Saunders St.	612.50
W. Arnold Smith & Etal.	41	0065645		South Saunders Street	487.90
Clay & Georgia Phillips	42	0021568	E	S. Saunders Street	1,018.50
Brussell L. Johnson	43	0021576	D	2712 S. Saunders St.	280.00
Brussell L. Johnson	44	0021575	C	South Saunders St.	610.12

Cost per foot $3.50

Section 4. That the terms and manner of payment of assessments herein provided for shall be as follows: that said assessments shall be payable in cash or, if any property owner shall so elect and give notice of the fact, in writing, to the City of Raleigh in accordance with the provisions of Section 160A-232 of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessments in ten (10) equal installments, such installments to bear interest at the rate of six per cent (6%) per annum from the date of confirmation of the assessment roll, payable annually on the unpaid balance of the assessment.

Section 5. That this Assessment Roll No. 194. is hereby ordered filed in the office of the City Clerk and Treasurer of the City of Raleigh for public inspection.

Section 6. That a public hearing will be held on the 15th day of November, 1983, at 7:00 p.m. in the Council Chamber, Municipal Building in the City of Raleigh, North Carolina (or at such time and place to which the meeting of the City Council may be adjourned) for the purpose of hearing all interested persons in respect to the special assessments made by this resolution; and the City Clerk and Treasurer is hereby directed to cause to be published a notice of the completion of said assessment roll and notice of said meeting, and to mail to each owner of the property herein assessed a copy of this resolution.

Section 7. That the assessment made by this resolution is subject to confirmation as provided by Article 10 of Chapter 160A, General Statutes of North Carolina.

Adopted: 10/18/83

RESOLUTION NO. (1983) 372

RESOLUTION DECLARING COST AND PRELIMINARY ASSESSMENT ROLL

SEWER ASSESSMENT ROLL NO. 1001

WHEREAS, by Resolution No. 1982-49 adopted by the City Council on October 5, 1982 the local improvements hereinafter referred to were authorized and directed pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, and Section 105 of Chapter 1184, Session Laws of North Carolina of 1949, as amended, as applicable; and

WHEREAS, the local improvements have been completed and it is the duty of the City Council to make an assessment of the cost thereof against the property abutting the improvement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the local improvements described as follows have been completed: Installation of approximately 1,944 linear feet of 8-inch sanitary sewer main in an easement beginning at the Leadmine Creek outfall and going south, eastward to Parcel 22 on zoning map 351.

Section 2. That the cost of the above described improvements, exclusive of so much of the total cost as was incurred at street intersections, has been computed and determined and is hereby declared to be $46,398.25.

Section 3. That the City Council hereby makes an assessment of the cost of the local improvements herein referred to, pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, against the lots and parcels of land abutting directly on the improvements. The basis for assessment is footage abutting the extension.

Section 4. That the following assessments are hereby declared against abutting property as follows: according to the average cost as determined by the City Council under authority contained in Chapter 315 of the North Carolina Session Laws, 1963.

OWNERS ASSESSED	LOT NO.	PROPERTY I.D. NO.	SUBDIVISION LOT NO.	FRONTAGE ASSESSED	AMOUNT ASSESSED
Sara Jane Fields	1	0022169	-	1,293.36	$16,892.61
Louis E. Poole & Associates, Inc.	2	0111215		2,259.06	$29,505.64

Cost per foot: $13.06102365

Section 5. That the terms and manner of payment of assessments herein provided for shall be as follows: that said assessments shall be payable in cash or, if any property owner shall so elect and give notice of the fact, in writing, to the City of Raleigh in accordance with the provisions of Section 160A-232 of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessments in ten (10) equal installments, such installments to bear interest at the rate of six percent (6%) per annum from the date of confirmation of the assessment roll, payable annually in the unpaid balance of the assessment.

Section 6. That this Assessment Roll No. 1001 is hereby ordered filed in the Office of the City Clerk and Treasurer of the City of Raleigh for public inspection.

Section 7. That a public hearing will be held on the 15th day of November, 1983, at 7:00 p.m. in the Council Chamber, Municipal Building in the City of Raleigh, North Carolina (or at such other time and place to which the meeting of the City Council may be adjourned) for the purpose of hearing all interested persons in respect to the special assessments made by this resolution; and the City Clerk and Treasurer is hereby directed to cause to be published a notice of the completion of said assessment roll and notice of said meeting, and to mail to each owner of the property herein assessed a copy of this resolution.

Section 8. That the assessment made by this resolution is subject to confirmation as provided by Article 10 of Chapter 160A, General Statutes of North Carolina.

Adopted: 10/18/83

MINUTES - OCTOBER 4 AND SEPTEMBER 22 MEETINGS - APPROVED

The City Clerk indicated Council Members received copies of the October 4, 1983, Council Meeting and the September 22, 1983, joint hearing with the Planning Commission. Mr. Jordan moved approval of the two sets of minutes as presented. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

ADJOURNMENT

There being no further business Mayor York announced the meeting adjourned at 2:50 p.m. to be reconvened at 7:00 p.m.

The City Council of the City of Raleigh met in a regular reconvened session on Tuesday, October 18, 1983 at 7:00 p.m. in the City Council Chambers of the Municipal Building with the following present:

Mayor York, Presiding
Ms. Babb
Mr. Calloway - Absent and Excused
Mr. Edwards
Mr. Jordan
Mr. Keller
Mr. Walters
Mr. Upchurch

Mayor York called the meeting to order and the following items were discussed with action taken as shown.

REQUESTS AND PETITIONS OF CITIZENS

YWCA - UTILIZATION OF CITY STREETS - AUTHORIZED CONDITIONALLY

Paulette Evans, representing the YWCA, was at the meeting requesting permission to utilize City streets for two separate Halloween races for children on October 29, 1983. It was indicated she had requested permission to utilize Smallwood, Cameron, Daniels, Oberlin, Clark and Sutton. Ms. Evans pointed out after talking with the Police Department she learned they had concern about utilization of these streets, therefore, the request is to have the race starting at 9:00 a.m. on Needam Broughton High School property, go east on Nichols Street, south on St. Mary's Street, west on Peace Street and then north on Smallwood to Cameron Drive. City Manager Zachary indicated the Police Department would have no objections to the race being conducted as planned along these streets. The YWCA has agreed to employ six off-duty officers and one off-duty supervisor at a total cost of $225. On-duty police units will provide escorts at the front and the rear of the runners. Ms. Evans indicated this is what she would like for her amended request to include.

City Manager Zachary indicated even though the police have no objection to this request the Department of Transportation wants to raise a flag and a question. He pointed out we are having so many races utilizing major streets and it is interfering with our transportation system. He indicated the Department of Transportation would recommend that major thoroughfares not be utilized as race routes or to have the races as much as possible on Sundays. Mr. Zachary indicated that maybe administration could look at this and recommend a general policy. The Department of Transportation would recommend that the City Council consider a general policy of not utilizing major streets on Saturdays for road races. He indicated Administration would be looking into this further.

As it relates to the specific race at hand, Ms. Evans indicated that the children would be running on the sidewalks so they will not need any barricades. Mr. Upchurch moved approval of the race as outlined by the Police Department. His motion was seconded by Mr. Edwards and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

CAPITAL TRAIL RUN - INFORMATION RECEIVED

Mrs. Texanna Montague, representing First Federal Savings and Loan, indicated it is with great pride and pleasure that they are helping with the Capital Trail Run. She indicated that when they agreed to co-sponsor this event they did not know how much it was going to cost and they were pleased that the Council had agreed to split the cost for policing of the event with First Federal. Mrs. Montague presented Council Members with a tee shirt commemorating the event as well as some material on the event. She indicated she realized the Mayor would be in New York running this weekend and would miss the race but maybe he could wear the Capital Trail Run tee shirt in that race. The Council expressed appreciation for the shirts and materials.

TAXICAB PERMIT - REQUEST FOR RECONSIDERATION - REFERRED TO THE LAW AND FINANCE COMMITTEE

Leroy Choplin was at the meeting to ask the Council to reconsider his request for reinstatement of his taxicab permit. Mr. Choplin indicated he has changed and he will never even think about pulling a trick like he did before. He stated he has joined the church and has been baptized and he is at the Council to ask that they reinstate his taxicab so that he can make a living. Mayor York indicated Council Members did receive some information on this item in the Agenda packet. Mr. Jordan pointed out he felt we needed the input of the Police Department and would move that the request for reinstatement of the taxicab permit for Leroy Choplin be referred to the Law and Finance Committee. His motion was seconded by Mr. Edwards and passed unanimously. The Mayor ruled the motion adopted.

ANNEXATION - N. C. HIGHWAY 50 - CLERK AUTHORIZED TO CHECK SUFFICIENCY AND SCHEDULE HEARING

A petition has been received for the contiguous annexation of 16.12 acres of land on N. C. Highway 50. The petition is submitted by Development Associates, Inc. The next step, if the Council so desires, would be direct the Clerk to check the sufficiency of the petition and schedule a public hearing if the petition is found to be sufficient. In response to questioning the Clerk indicated November 15 would be the

earliest possible date for the hearing. Mr. Edwards moved that the Clerk be directed to check the sufficiency of the petition and schedule a hearing on November 15 if the petition is found to be sufficient. His motion was seconded by Ms. Babb and passed unanimously.

DRIVEWAY ACCESS - DRIVE-IN BANK STRICKLAND-CREEDMOOR ROADS - REFERRED TO THE PUBLIC WORKS COMMITTEE

Ben Taylor, representing Branch Banking and Trust Company, was at the meeting to discuss the driveway access for a drive-in bank at the corner of Strickland and Creedmoor Roads. Mr. Taylor indicated this relates to Subdivision S-107-83 and a restriction was placed on the driveways. He indicated they submitted a plan through site plan process to reconsider this and the Planning Department asked that it be brought directly to City Council. He indicated he had met with the Department of Transportation and there were some improvements they would like to have and his clients would consider these improvements. He indicated he understands the City Manager will recommend that this go to a committee and he is prepared to discuss this with the proper committee. In response to questioning, City Manager Zachary indicated we do have a recommendation from the State DOT, the City DOT and the Planning Department but he feels that it would be best that it go to Committee. Mr. Edwards questioned why it should go to a committee if we have a recommendation from the City and State DOT with City Manager Zachary indicating the recommendations do not agree. Mr. Edwards moved that the question relating to driveway access at the bank at the corner of Strickland and Creedmoor Roads be referred to the Public Works Committee. His motion was seconded by Mr. Walters and passed unanimously.

STREET IMPROVEMENTS - WAKEFIELD AVENUE - PUBLIC HEARING AUTHORIZED

David Smoot, agent for Dixie Development, indicated he and Dixie Development had formed a joint venture to develop property on Wakefield Avenue. He indicated they had requested a petition for street improvements but they were unable to get the adjacent property owners to sign the petition. He indicated he is talking about a section of street about 258 feet long. He indicated this item was in the Public Works Committee some two years ago and the indication at that time was when development occurred or was a fact that the City Council might consider forced paving. He indicated Dixie Development owns 163 feet of frontage. He explained the development of this property is now a fact and he would like to get the street paved. Discussion took place on the condition of the surrounding streets, the fact that this would only be setting a public hearing to consider the proposal. Mr. Walters moved that the City Council adopt a Resolution of Intent to consider forced paving of Wakefield Avenue from Tryon Street south to the dead-end. His motion was seconded by Mr. Edwards and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

RESOLUTION NO. 1983-374

A PRELIMINARY RESOLUTION INDICATING THE INTENT OF THE CITY COUNCIL TO MAKE STREET IMPROVEMENTS AS DESCRIBED HEREIN AND ASSESS THE COST AGAINST LAND ASSESSABLE THEREFOR AND SETTING A PUBLIC HEARING TO CONSIDER THE QUESTION

WHEREAS, the City Council under the provisions of Section 6.44 of the Charter of Raleigh, Chapter 1184 of the Session Laws of North Carolina, 1949, as amended, is authorized to require street improvements without petition under the conditions therein set out; and

WHEREAS, the City Council finds that improvements as described herein are necessary in the public interest; that the owners of property abutting the improvements are unwilling or have failed to sign a petition for such improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That it is intended that the following improvements be made and that the cost thereof be assessed against property abutting thereon pursuant to and by virtue of the provisions of Section 6.44 of the Charter of the City of Raleigh; Chapter 1184, Session Laws of North Carolina, 1949, as amended:

Installation of curbs, gutters, drains and paving 31 feet back to back on Wakefield Avenue from Tryon Street southward to the dead end.

Section 2. The proportion of the cost in making the aforesaid street improvements to be assessed upon an abutting property owner to the extent that the same shall be assessable under the provisions of Resolution No. 280, as amended, shall be as follows: 100 percent of the total cost of said respective improvements which are assessable under Resolution No. 280 (i.e., the cost of one half of each street to be improved shall be assessed and charged against the lots and parcels of land abutting directly on the respective improvements, according to the extent of their respective frontage thereof by an equal rate per foot of such frontage exclusive of so much of the cost as is incurred at street intersections in improving street intersections; the remainder of the total cost including street intersections to be borne by the City of Raleigh).

Section 3. That property abutting on the street to be improved shall be connected with water mains, sewer mains, and gas mains (if gas mains are available) located in the street adjacent to their several premises in a manner as prescribed in the Plumbing Code of the City of Raleigh and the cost thereof shall be specially

assessed if the particular lot or parcel of land for and in connection with which said connections are made, as provided by Article 10 of Chapter 160A of the General Statutes of North Carolina.

Section 4. That the terms and manner of payment of street improvement assessments herein provided for shall be as follows: that said assessments shall be payable in cash or, if any property owner shall so elect and give notice of the fact, in writing, to the City of Raleigh in accordance with the provisions of Section 160A-232 of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessments in ten equal annual installments, such installments to bear interest at the rate of 6% per annum from the date of confirmation of the assessment roll, payable annually on the unpaid balance of the assessment.

Section 5. That the said improvements shall be done by contract after due notice and advertisement for competitive bids in accordance with provisions of Section 6.11 of the Charter of the City of Raleigh and other pertinent provisions of the Charter and of the General Statutes of North Carolina.

Section 6. That a public hearing on all matters covered by this resolution shall be held on the 15th day of November, 1983, at 7:00 p.m., in the Council Chamber of the Municipal Building, Room 315, in the City of Raleigh, North Carolina, or as soon thereafter as the matter can be reached.

Adopted: 10/18/83

ENCROACHMENT - 405 WEST MORGAN STREET - APPROVED CONDITIONALLY

Frank Thompson, representing the Cultural Club, was at the meeting indicating they would like to encroach on the right-of-way at 605 West Morgan Street in order to install a handicap ramp as required by the City. He presented a hand drawn rendering of where the handicap ramp is being required. He indicated the problem is that the building is too close to the street already and there is no way to get the required handicap ramp in without it being on the City right-of-way. Discussion took place as to the exact location with it being pointed out that the steps already encroach on the City right-of-way. Mr. Jordan moved approval of the encroachment agreement provided the applicants enter into the standard encroachment agreement. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

UNFIT BUILDINGS AND DWELLINGS UNFIT FOR HUMAN HABITATION

NONE

MATTERS SCHEDULED FOR PUBLIC HEARING

ANNEXATION - VILLAGE OF OAK PARK - HEARING - ORDINANCE ANNEXING PROPERTY EFFECTIVE DECEMBER 31

This was a hearing to consider the contiguous annexation of property known as Village of Oak Park. If the annexation of the property is approved, it is recommended that the effective date be December 31, 1983, and the property assigned to Council District E. The hearing is pursuant to petition, notification and advertisement as required by law. Planning Director Chapman explained the proposal pointing out when the property is fully developed it could accommodate 77 total units. He indicated all appropriate City department heads have reviewed the request and recommend approval. The Mayor opened the hearing, no one asked to be heard thus the hearing was closed. Mr. Edwards moved adoption of an ordinance annexing the property effective December 31, 1983 and a resolution assigning the property to electoral District E. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. (1983) 211

AN ORDINANCE TO EXTEND THE CITY LIMITS OF THE CITY OF RALEIGH BY ANNEXING PROPERTY CONTIGUOUS TO THE CITY LIMITS DESCRIBED AS VILLAGE OF OAK PARK

WHEREAS, pursuant to provisions of Section 160A-31 of the General Statutes of North Carolina, public notice was given by publication in a newspaper in Wake County with a general circulation in the municipality, describing by metes and bounds the territory herein described to be annexed to the City of Raleigh, notifying residents of the City of Raleigh that a meeting of the City Council would be held on October 18, 1983 at 7:00 p.m., or as soon thereafter as the matter could be heard, in the Council Chamber, for the purpose of considering the annexation of such territory to the municipality; and

WHEREAS, no petition was filed at said meeting of the City Council objecting to the annexation of said territory and asking that an election be held thereon; NOW, THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following described property be and the same is hereby annexed to the City of Raleigh as of December 31, 1983:

VILLAGE OF OAK PARK

Beginning at a point in the existing (9-1-83) Raleigh City Limits, said point being an iron stake 174.70 feet ± south of the southeastern corner of property formerly owned by Centennial Homes (The Hollows Apartments) measured along said City Limits; runs thence North 81° 35' 15" West 1715.70 feet ± along the northern line extended of the Independent Baptist Church Property to a point in the western right-of-way of Duraleigh Road; thence northerly with said right-of way 535 feet ± to its point of intersection with the southern right-of-way extended of Deep Hollow Drive; thence easterly with said right-of-way extended 650 feet ± to a point in said existing City Limits, said point also marking the northwest corner of said Centennial Homes Property; thence with said existing City Limits South 03° 32' 30" West 560.47 feet ± along the western line of said Centennial Homes tract to an iron stake, the southwest corner of said property; thence South 85° 45' 45" East 1111.37 feet ± with the southern line of said Centennial Homes tract to an iron stake, the southeast corner of said property; thence South 06° 47' West 174.70 feet ± to the point of Beginning.

For further reference, see the Glenwood - Oak Park annexation ordinance (1976-84) on file in the Raleigh City Clerk's Office and a plat entitled "Property of Centennial Homes, Inc., Connell Realty & Mortgage Co., Tri-City Builders, Inc. near Raleigh, North Carolina" dated June 17, 1975, prepared by Bass, Nixon & Kennedy, Inc. Consulting Engineers, recorded in Book of Maps 1975, Volume 2, Page 187, Wake County Registry.

Section 2. It being understood and agreed that the developer will at his expense construct streets and install utilities within the annexed area.

Section 3. That the Mayor of the City of Raleigh shall cause an accurate map of such annexed territory, together with a copy of this ordinance, duly certified, to be recorded in the office of the Register of Deeds for Wake County, and in the office of the Secretary of State of North Carolina.

Section 4. That this ordinance shall become effective December 31, 1983.

Adopted: October 18, 1983

Effective: December 31, 1983

RESOLUTION NO. (1983) 375

A RESOLUTION TO AUTHORIZE THE INCLUSION OF VILLAGE OF OAK PARK IN CITY ELECTORAL DISTRICT E

Whereas, the City Council of the City of Raleigh did, by Ordinance No. (1983) 211 adopted October 18, 1983, annex a parcel of land being commonly referred to as Village of Oak Park; and

WHEREAS, any such annexation must be assigned to one of the City's five voting districts to assure adequate representation of the residents thereof; and

WHEREAS, District E is the logical place to assign this annexation due to its proximity to the newly annexed area.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

Section 1. That the area known as Village of Oak Park as described in Ordinance No. (1983) 211 be added to City Electoral District E.

Adopted: October 18, 1983

Effective: December 31, 1983

CABLE STANDARDS ORDINANCE - ULOCO MEMBERSHIP REQUIREMENT - ORDINANCE ADOPTED

This was a hearing to consider amending the Cable Standards Ordinance to require that Cablevision franchise grantees shall maintain membership in ULOCO to assure coordination of all member utilities during construction of a cable system. City Manager Zachary indicated this was a recommendation of the Cable Administration. He indicated he feels that we are getting into so many underground utilities that it is necessary that all of the people doing the digging of these underground utilities be a member of ULOCO. Mr. Jordan indicated we have already had a rash of cables being cut in the North Haven area. Mr. Edwards questioned if any of the companies that lay cable underground utilize the method of laying a tape so when the backhoe starts digging the tape will come up and the operator will know what lines are there. Mr. Jordan pointed out the public service company and the telephone company will come out and tell you where the cables are buried. Cable Administrator Thomas indicated the telephone company and public service has come out and identified where their lines are. However, when the digging occurs the lines are not where they thought they were. Discussion took place on the problems that have been occurring in the North Haven area with Mr. Thomas indicating he felt that ULOCO would help this. Mr. Upchurch questioned how much it would cost with Mr. Thomas pointing out it is on a mileage basis but he feels that it would cost Cablevision of Raleigh approximately $2,000. Brief discussion took place and the hearing to the public however, no one

asked to be heard thus the hearing was closed. Mr. Upchurch moved approval of the amendment to the Cable Standards Ordinance as outlined. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

ORDINANCE NO. (1983) 212

AN ORDINANCE TO AMEND ORDINANCE NO. (1983) - 121 - THE CABLE STANDARDS ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Ordinance No. (1983) - 121 entitled "THE CABLE STANDARDS ORDINANCE" be amended by adding the following:

"Construction Standards

(h) Grantee shall maintain membership in ULOCO to assure coordination with all member utilities during the construction of the cable system."

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective October 18, 1983.

Adopted: 10/18/83

ELECTION RETURNS - OCTOBER 11, 1983 - PRESENTED

The City Clerk presented Council Members with a copy of the abstracts of votes cast at the election on October 11, 1983 for Mayor and Council Members. The item was received as information. (see election returns on page 1022)

JOINT HEARING BEFORE THE CITY COUNCIL AND THE PLANNING COMMISSION

The City Council went into a joint hearing with the Planning Commission to consider Text Change - 252 - relating to emergency shelters. The minutes of that meeting will be covered in a separate set of minutes.

Gail G. Smith
City Clerk and Treasurer

EXCERPT FROM THE MINUTES OF THE CITY COUNCIL MEETING HELD ON October 18, 1983

ELECTION RETURNS - OCTOBER 11, 1983 - PRESENTED

The City Clerk presented Council Members with a copy of the abstracts of votes cast at the election on October 11, 1983 for Mayor and Council Members. The item was received as information.

10-18-83 CC mtg.

ABSTRACT OF VOTES CAST AT ELECTION HELD ON TUESDAY, OCTOBER 11, 1983 IN WAKE COUNTY, NORTH CAROLINA, CITY OF RALEIGH FOR MAYOR AND CITY COUNCIL -AT-LARGE

ELECTION PRECINCTS	MAYOR OF CITY OF RALEIGH				TWO AT-LARGE MEMBERS, CITY COUNCIL OF RALEIGH				
	O.T. (Tom) Dobbs	Tony Jordan	J. C. Knowles	Avery C. Upchurch	Sandra P. (Sandy) Babb	Miriam Block	Joseph R. Overby	Perry Safran	Geoffrey (Geoff) Simmons
Raleigh #1	8	116	53	223	237	271	33	114	136
Raleigh #2	22	88	111	331	318	367	47	177	80
Raleigh #3	15	110	105	424	330	378	68	322	78
Raleigh #4	11	73	75	224	201	214	45	155	55
Raleigh #5	5	93	71	220	253	181	27	207	47
Raleigh #6	6	64	36	120	165	154	18	105	48
Raleigh #7	8	70	47	145	162	170	22	104	51
Raleigh #8	11	47	56	119	128	113	43	70	42
Raleigh #9	6	40	80	133	154	134	45	93	44
Raleigh #10	4	110	90	243	279	226	45	167	76
Raleigh #11	13	140	69	324	351	304	61	344	83
Raleigh #12	15	75	97	192	218	215	64	124	53
Raleigh #13	10	68	209	121	250	207	64	96	96
Raleigh #14	18	97	125	214	291	243	50	112	101
Raleigh #15	18	125	82	207	243	254	60	135	87
Raleigh #16	11	147	102	426	406	415	83	225	109
Raleigh #17	8	105	81	196	237	218	53	150	50

ELECTION PRECINCTS	MAYOR OF CITY OF RALEIGH									TWO AT-LARGE MEMBERS, CITY COUNCIL OF RALEIGH										
	O.T. (Tom) Dobbs	Tony Jordan	J. C. Knowles	Avery C. Upchurch						Sandra P. (Sandy) Babb	Miriam Block	Joseph R. Overby	Perry Safran	Geoffrey (Geoff) Simmons						
Raleigh #18	17	126	96	261						288	270	59	164	116						
Raleigh #19	9	256	59	92						298	62	17	23	313						
Raleigh #20	7	253	44	71						230	45	10	7	323						
Raleigh #21	6	72	75	96						131	167	37	43	58						
Raleigh #22	9	532	67	71						468	63	8	10	617						
Raleigh #23	2	29	22	68						63	74	18	45	19						
Raleigh #24	4	45	37	91						86	106	24	29	53						
Raleigh #25	0	63	24	32						38	17	4	5	109						
Raleigh #26	10	133	29	133						64	24	4	7	287						
Raleigh #27	0	16	24	42						40	61	13	10	8						
Raleigh #28	14	169	191	202						339	238	94	113	203						
Raleigh #29	24	226	128	601						516	492	83	524	96						
Raleigh #30	7	153	97	294						314	299	61	206	89						
Raleigh #31	14	81	65	164						134	199	26	40	157						
Raleigh #32	18	65	91	224						198	330	36	90	70						
Raleigh #33	14	112	111	328						308	345	51	242	64						
Raleigh #34	11	304	29	27						297	18	5	8	341						
Raleigh #35	17	416	70	107						164	179	5	29	522						
Raleigh #36	6	136	101	366						334	308	50	295	77						
Raleigh #37	24	183	105	374						400	396	76	207	131						
Raleigh #38	30	197	211	343						497	387	121	274	142						

ELECTION PRECINCTS	MAYOR OF CITY OF RALEIGH									TWO AT-LARGE MEMBERS, CITY COUNCIL OF RALEIGH										
	O.T. (Tom) Dobbs	Tony Jordan	J. C. Knowles	Avery C. Upchurch	William Moseley					Sandra P. (Sandy) Babb	Miriam Block	Joseph R. Overby	Perry Safran	Geoffrey (Geoff) Simmons						
Raleigh #39	23	112	46	151	1					202	171	22	90	88						
Raleigh #40	10	300	80	87						262	106	25	34	373						
Raleigh #41	24	127	130	399						320	530	46	139	198						
Raleigh #42	16	225	70	313						380	289	75	238	105						
Raleigh #43	12	64	67	310						282	238	61	115	96						
Raleigh #44	9	105	55	184						207	196	37	118	80						
Raleigh #45	7	135	65	247						272	224	41	130	140						
House Creek #1	9	51	56	125						154	177	25	104	51						
House Creek #2	4	44	50	478						213	399	51	191	103						
House Creek #3	7	84	51	169						167	168	32	104	83						
House Creek #4	11	124	45	287						241	257	51	136	163						
Leesville	0	17	7	42						34	35	3	22	22						
Absentee Ballots	2	54	34	87						93	100	19	47	38						
TOTALS	566	6,593	3,926	10,880	1					12,257	11,034	2,118	6,540	6,571						

State of North Carolina
Wake County.

The County Board of Elections for said county and municipality, having opened, canvassed, and judicially determined the origin returns of the election in the several precincts in this city, held as above stated, we do hereby certify that the above is a true abstract thereof, and contains the number of legal ballots cast in each precinct for each office named, the name of each person vot for, and the number of votes given for each person for the office named.

This 13th day of October, 1983

Rosa H. Gill
William Joslin
Margaret Person Curran
Wake County Board of Elections.

ABSTRACT OF VOTES
CITY OF RALEIGH, NORTH CAROLIN
COUNTY OF WAKE

Instructions

Three copies are to be made; one copy to be signed by County Board of Elections and delivered by them, when the canvass is concluded, to the Town Clerk, and one copy to be retained by County Board of Elections and one copy to be mailed to the Chairman of The State Board of Elections, Raleigh North Carolina.

State of North Carolina
Wake County
This day personally appeared before me Rosa H Gill

Chairman of the County Board of Elections, who, being duly sworn, says that the abstract of votes herein contained is true and correct according to the returns made to said Board.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Notarial seal, this 13th day of October, 1983

Bertha R. Ry Laughlin
(seal)

My commission expires: 1/28/1985

ABSTRACT OF VOTES CAST AT _____ ELECTION
HELD ON TUESDAY, OCTOBER 11, 1983 IN WAKE COUNTY,
NORTH CAROLINA, CITY OF RALEIGH FOR CITY COUNCIL ELECTORAL DISTRICTS

ELECTION PRECINCTS	ELECTORAL DISTRICT A				ELECTORAL DISTRICT B				ELECTORAL DISTRICT C				ELECTORAL DISTRICT D				ELECTORAL DISTRICT E						
	C. Delaine Bradsher	O. Morton (Mort) Congleton	Tony Maupin		Marion S.(Sonny) Mountcastle	Edward A. (Ed) Walters			Arthur J.Calloway				Walter M. (Walt) Keller				Mary Cates	John A. Edwards	Bernadine Weddington				
Raleigh #1																	211	138	64				
Raleigh #2																	274	190	72				
Raleigh #3																	256	325	31				
Raleigh #4																	138	172	40				
Raleigh #5																	135	213	27				
Raleigh #6																	75	161	16				
Raleigh #7																	172	72	25				
Raleigh #8																	74	76	64				
Raleigh #9					116	119																	
Raleigh #10					121	292											190	365	33				
Raleigh #11																							
Raleigh #12					104	248																	
Raleigh #13					133	247																	
Raleigh #14					199	234																	
Raleigh #15	191	100	127														336	237	76				
Raleigh #16																							
Raleigh #17	131	89	148																				
Raleigh #18					143	295																	

ELECTION PRECINCTS	ELECTORAL DISTRICT A				ELECTORAL DISTRICT B				ELECTORAL DISTRICT C				ELECTORAL DISTRICT D				ELECTORAL DISTRICT E						
	C. Delaine Bradsher	O. Morton (Mort) Congleton	Tony Maupin		Marion S.(Sonny) Mountcastle	Edward A. (Ed) Walters			Arthur J.Calloway				Walter M. (Walt) Keller				Mary Cates	John A. Edwards	Bernadine Weddington				
Raleigh #19									369														
Raleigh #20									352														
Raleigh #21													166										
Raleigh #22									659														
Raleigh #23													71										
Raleigh #24													115										
Raleigh #25									121														
Raleigh #26									288														
Raleigh #27													50										
Raleigh #28					79	454																	
Raleigh #29																	464	349	43				
Raleigh #30	248	99	190																				
Raleigh #31													181										
Raleigh #32													290										
Raleigh #33																	291	174	83				
Raleigh #34									343														
Raleigh #35									512														
Raleigh #36																	160	369	38				
Raleigh #37	239	181	234																				
Raleigh #38					303	442																	

ELECTION PRECINCTS	ELECTORAL DISTRICT A				ELECTORAL DISTRICT B				ELECTORAL DISTRICT C				ELECTORAL DISTRICT D				ELECTORAL DISTRICT E				
	C. Delaine Bradsher	O. Morton (Mort) Congleton	Tony Maupin		Marion S.(Sonny) Mountcastle	Edward A. (Ed) Walters			Arthur J. Calloway				Walter M. (Walt) Keller				Mary Cates	John A. Edwards	Bernadine Weddington		
Raleigh #39	73	103	126						417												
Raleigh #40													512								
Raleigh #41																					
Raleigh #42	145	174	288																		
Raleigh #43	137	113	183																		
Raleigh #44	60	99	174																		
Raleigh #45	101	170	161														110	91	67		
House Creek #1																	126	103	342		
House Creek #2																					
House Creek #3	87	130	84																		
House Creek #4	69	224	156														20	25	20		
Leesville									9				14				60	15	4		
Absentee Ballots	14	16	14		9	16															
TOTALS	1,495	1,498	1,885		1207	2347			3070				1399				3092	3075	1045		

tate of North Carolina
ake County.

The County Board of Elections for said county and municipality, having opened, canvassed, and judicially determined the origin
eturns of the election in the several precincts in this city, held as above stated, we do hereby certify that the above is a true
bstract thereof, and contains the number of legal ballots cast in each precinct for each office named, the name of each person
oted for, and the number of votes given for each person for the office named.

This _____ day of _____, 1983

Wake County Board of Elections

ABSTRACT OF VOTES
CITY OF RALEIGH, NORTH CAROLI
COUNTY OF WAKE

Instructions

Three copies are to be made; one copy to be signed by County Board of Elections and delivered by them, when the canvass is concluded, to the Town Clerk, and one copy to be retained by County Board of Elections and one copy to be mailed to the Chairman of The State Board of Elections, Raleigh North Carolina.

State of North Carolina
Wake County
This day personally appeared before me Rosa H Gill

Chairman of the County Board of Elections, who, being duly sworn, says that the abstract of votes herein contained is true and correct according to the returns made to said Board.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Notarial seal, this 13th day of October, 1983

Martha R. Rowland
(seal)

My commission expires: 4/28/1985